

It was expected that a FM sound transmitter at Mount Edgecumbe would require some 2-5 kW mean radiated power. The Manawahe radiation was likely to give some significant coverage in both Tauranga and the Rotorua districts. This could affect assignments of frequencies. The Post Office was, however, prepared to certify the Manawahe site.

Mr Bryce said "By reason of the topography a FM signal from a transmitter on Mount Edgecumbe would not be adequately received in a large part of Whakatane itself, at Ohope Beach, in Opotiki and in other areas unless the base power was at levels which would be totally uneconomic and undesirable. It would be necessary to have a based power of 50 kW if there were to be no translators". The proposed base power from Manawahe would be 5 kW.

Mr Bryce was exaggerating the position. When questioned it was clear that the half of Whakatane he referred to was not a large part at all. Mr Gracie said that many of the coverage problems in Whakatane were slight. About 2½ percent of the population might have difficulty with reception. He considered Manawahe an inefficient transmitting site which required excessively higher power levels to retain the stated coverage objective.

Manawahe had been used before for a television translator which when it reached 100 watts still required no fewer than 10 supplementary translators to provide a full television service to the Central and Eastern Bay of Plenty. The trig 6881 site proposed for Radio Whakatane FM, at Mount Edgecumbe is 64 metres higher than the Manawahe television translator site and 4.3 kilometres to the south.

It was tested and compared with Mount Edgecumbe. The results of tests clearly indicated that Mount Edgecumbe was a vastly superior VHF transmission site and a medium power television transmitting station was planned and subsequently developed there. Television transmissions from Mount Edgecumbe require only 6 translators. Mr Gracie estimated that it was likely that a FM translator would only be needed to provide coverage at Ohope Beach, if Mount Edgecumbe was the main transmission point.

From comparative figures listed, substantially equal coverage would exist from either point in Whakatane, Opotiki, Te Kaha and Waimana. Interference levels in Tauranga and Mount Maunganui could be expected to be substantially the same.

Mount Edgecumbe provided a much better coverage than Manawahe or Murupara, Te Puke and Taneatua. Interference in Rotorua and Taupo was significantly less from Mount Edgecumbe.

The Manawahe trig site provided a better coverage than Mount Edgecumbe at Awakeri.

In summary, Mr Gracie said that Mount Edgecumbe had markedly better coverage potential and produced significantly less interference in the Rotorua and Taupo areas. He also considered that the Manawahe site would be deficient in terms of its ability to provide acceptable coverage in the Murupara area. While Mr Bryce thought the coverage would be adequate, he did concede that it was not as good as from Mount Edgecumbe.

The high level of interference would artificially limit the extent of future FM services able to be provided in these areas and surrounding districts. Experience in other areas indicated that provided basic engineering standards are observed, no interference or other problems occurred with the sort of equipment that was already installed at Mount Edgecumbe. Mr Gracie considered there was insufficient evidence to abrogate the co-siting philosophy set out in the report of the Broadcasting Tribunal which had been adopted by the Minister of Broadcasting.

After hearing all the witnesses, each of whom was cross examined and questioned by the Tribunal, we prefer the evidence of Mr Hutchings and Mr Gracie on the co-siting and other issues crucial to this application. We must look beyond this application to the possibility in the future of other services being brought to the area and there would be complications if the Mount Edgecumbe site was to be used for some regional FM services and Manawahe for this applicant. Those who had to use outdoor aerials would for instance have to have a two directional aerial.

It is perhaps an indication of Mr Bryce's attitude that exceptions should be made for Radio Bay of Plenty Ltd. that he produced his own evidence in support of vertical polarisation despite the general acceptance that in principle mixed polarisation is the better choice.

(i) *The desirability of avoiding monopolies in the ownership or control of news media.*

This was not an issue.

(j) *The hours which the applicant proposed to broadcast.*

The service, as at present, would be a 24 hour one.

(k) *The extent of advertising matter which the applicant proposes to broadcast.*

There was concern about this because the applicant can at present advertise up to 18 minutes in any hour. We understand the reasons for that. The fact that that advertising would continue does however emphasise that this is a conversion to another mode rather than the full exploitation of FM medium.

The amount of advertising concerned Mr Paterson for the Waikato FM company which is limited to 6 minutes at present. Had we found the changeover justified we believe that it would not have been economically possible to have limited the advertising content.

We do not consider it would have provided an unfair situation in relation to the other FM company as it would simply have emphasised that the station is still a local community station broadcasting on another part of the spectrum.

(l) *The proposed rates and charges to be made in respect of advertising programmes.*

This matter was balanced by the high commercial content.

(o) *Such other matters as may be prescribed in regulations in that behalf.*

Regulation 15A, Broadcasting Regulations 1977 reads:

"15A. (1) In considering any application for a sound radio warrant in respect of an AM broadcasting station or a FM broadcasting station, the Tribunal, before determining whether or not to grant the application, shall have regard to the policy of the Government under which a frequency modulation (FM) broadcasting service is to be developed as an integral part of sound-radio broadcasting in New Zealand.

(2) Nothing in this regulation limits the provisions of paragraphs (a) to (n) of section 80 of the Act."

It is a policy of the Government that a FM service be made available progressively to as many radio listeners as is possible.

The applicants considered operating a local FM programme from 6 a.m. to 6 p.m. but decided this would incur additional costs without any material increase in the total advertising revenue. It would also require replacement of existing AM transmitters.

The Tribunal has carefully considered the application but is not able to grant it in its present form. If the applicant decides it wants to broadcast on FM the broad conclusion we have arrived at is that it could be permitted to do so, that the transmissions should be engineered to reduce (as far as is reasonable) the propagation of signal towards Tauranga, that the site should be Mount Edgecumbe and that the need for any translator should await the commencement of transmissions. Simulcasting should be limited to a short period not exceeding 6 months which could be used intensively to promote a new medium.

As the essence of the application was to transmit from Mount Manawahe it is not appropriate to grant the application with a condition to broadcast from another site. It seems more appropriate to indicate that if the applicant wishes to lodge a different application the Tribunal would be prepared to consider it promptly and given an early decision. This we do.

This present application does not satisfy us that its desirable elements outweigh the undesirable elements and therefore it must be declined.

*Co-opted Member—*

Murray J. Henshall was co-opted as a person whose qualifications and experience were likely to be of assistance to the Tribunal in determining the application. He took part in the hearing and the deliberations of the Tribunal but the decision is that of the permanent members.

Dated this 19th day of December 1984.

Signed for the Tribunal:

B. H. SLANE, Chairman.