

31 May 2016

Rex Widerstrom
General Manager
Hutt Radio

Dear Mr. Widerstrom

Official information request for documentation relating to consideration of the awarding of the 106.1MHz FM frequency for community broadcasting use in Wellington.

I refer to your request under the Official Information Act 1982 (the Act) received on 15 April 2016 seeking the following:

We hereby request copies of any and all documentation relating to consideration of the awarding of the 106.1MHz FM frequency for community broadcasting use in Wellington.

For the purposes of clarity, we refer to this decision, made in early February 2016: <http://www.mch.govt.nz/notice-non-commercial-radio-frequency-1061fm-allocation>

The material we seek includes, but is not necessarily limited to:

- Any material provided to the selection panel by the Ministry and which formed part of their brief*
- The content of all applications for the frequency allocation*
- Any secondary material submitted by any of the applicants following their initial application*
- Written comments, whether electronic or otherwise, by the selection panel, to the Ministry or to one another, regarding the applications*
- Any records pertaining to any discussions, meetings or other exchange of views which may have occurred between the Ministry, the panel in its entirety or any member of the panel, with any of the applicants during the time between calling for applications and arriving at a decision, and in the six months immediately prior*
- Any other documents pertaining to the consideration of submissions, their relative merits and final decision.*

In answer to your request, I enclose:

- email correspondence between the Ministry for Culture and Heritage (MCH) regarding the consideration of the awarding of the 106.1MHz FM frequency, between MCH and members of the panel, and MCH and applicants for the frequency allocation
- applications for the frequency allocation
- documents relating to the consideration of the submissions for the radio frequency.

In some instances where there are multiple iterations of the same document we have included the final version only.

Some information has been removed as being outside of the scope of the request. This refers to information not relating to the consideration of the awarding of the 106.1MHz FM frequency.

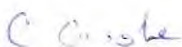
The attached table provides a list of the documentation and the grounds for withholding information from these documents.

We have withheld contact details in all correspondence under section 9(2)(a) of the Act. Names have been removed from the Valley FM application under section 9(2)(a) at the request of the applicant.

You have the right to seek a review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact MCH.

Yours sincerely



Carrie Cooke

Manager, Media Policy

Appendix: Documents released in OIA request for documentation relating to consideration of the awarding of the 106.1MHz FM frequency for community broadcasting use in Wellington

	Documents	Information withheld
EOI Process		
1	Email correspondence between MCH and applicants	Information out of scope 9(2)(a) Personal information
2	Email correspondence between MCH and independent contractor	9(2)(a) Personal information
3	Letter of Engagement from MCH to independent contractor	9(2)(a) Personal information
4	Email correspondence between MCH and MBIE	Information out of scope (2)(a) Personal information
5	Email correspondence between MCH and NZ on Air	Information out of scope 9(2)(a) Personal information
6	Non-Commercial Frequencies Allocation Criteria Checklist	Document released in full
7	Notes for allocation panel	Document released in full
8	For MCH website: notice of Non-commercial Radio Frequency 106.1FM Allocation	Document released in full
9	For MCH Website: Executive Summary of the Terms and Conditions for Community FM Radio broadcasting Licences	9(2)(a) Personal information
10	File note: Meeting with Wellington Access Radio	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person
11	Report on the Panel deliberations on the Allocation of Non-Commercial Radio Frequency 106.1 FM at Mt Kaukau (undated)	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person
12	For MCH website: The future for Community Radio in the Hutt Valley	Document released in full
13	MCH Communications Plan for allocation of frequency.	Document released in full
Access Radio Application		
14	Email correspondence between MCH and Access Radio	9(2)(a) Personal information
15	Letter from MCH to Access Radio on outcome	9(2)(a) Personal information
16	Application form	9(2)(a) Personal information
17	Programming content strategy	Document released in full
18	Current programming schedule	Document released in full
19	Current list of programmes	Document released in full

	Documents	Information withheld
20	Proposed FM programming schedule	Document released in full
21	Budget 2015-2016	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person 9(2)(ba)(i)information subject to an obligation of confidence
22	Draft budget 2016-2017	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person 9(2)(ba)(i)information subject to an obligation of confidence
23	Audit 2014-2014	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person 9(2)(ba)(i)information subject to an obligation of confidence
24	Certificate of Incorporation	Document released in full
25	Charities Certificate	Document released in full
26	Society constitution	Document released in full
27	Rent quote/lease copy	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person 9(2)(ba)(i)information subject to an obligation of confidence
28	Transmission quote	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person 9(2)(ba)(i)information subject to an obligation of confidence
29	Transmitter and setup quote	9(2)(b)(ii)protect information where making the information available would be likely to prejudice the commercial position of the person 9(2)(ba)(i)information subject to an obligation of confidence
30	Letters of support from the community	9(2)(a) Personal information
31	Media articles included in application	Document released in full
Atiawa Toa Application		

	Documents	Information withheld
32	Application form	9(2)(a) Personal information
33	Email correspondence between MCH and Atiawa Toa	9(2)(a) Personal information
34	Letter from MCH to Atiawa Toa on outcome	9(2)(a) Personal information
Hutt Community Radio Trust Application		
35	Email correspondence between MCH and Hutt Community Radio Trust	9(2)(a) Personal information
36	Letter from MCH to Hutt Community Radio Trust on outcome	9(2)(a) Personal information
37	Application form	9(2)(a) Personal information
38	Hutt Community Radio Trust application Appendix A	Document released in full
39	Appendices B (budget forecasts) and C (Statement of financial performance)	9(2)(b)(ii) protect information where making the information available would be likely to prejudice the commercial position of the person 9(2)(ba)(i) information subject to an obligation of confidence
40	Appendices D-G	Document released in full
41	Appendix H (evidence of community support)	9(2)(a) Personal information
42	Appendices I-K	Document released in full
Valley FM Application		
43	Email correspondence between MCH and Valley FM	9(2)(a) Personal information
44	Application form	9(2)(a) Personal information
45	Acknowledgement of application from D.I.A	Document released in full
46	Draft Constitution	9(2)(a) Personal information
47	CV (name withheld under S9(2)(a))	9(2)(a) Personal information
48	Reference	9(2)(a) Personal information
49	Letter from MCH to Valley FM on outcome	9(2)(a) Personal information

