

Submission on discussion document - AM/FM radio spectrum: 2031 expiry of licences and potential reassignment

Your name and organisation

Name	Nicholas Medder
Organisation	The Student Radio Network Charitable Trust (SRN)

General questions

Eligibility criteria for renewal

1

Should the Crown restrict eligibility to those with no outstanding fees? Should there be any exceptions to this?

The Student Radio Network (SRN) — comprising 95bFM (Auckland), Radio Control 99.4FM (Palmerston North), RadioActive 88.6 FM (Wellington), RDU 98.5FM (Christchurch), and Radio One 91FM (Dunedin) recognizes the Crown's right to expect licensees to remain in good standing, including timely payment of regulatory fees. However, we urge consideration of the unique challenges faced by non-commercial broadcasters, who operate with limited funding and serve the public interest.

Blanket restrictions risk excluding financially constrained yet high-performing media organizations, especially those serving students, Māori, Pacific, migrant, disabled, and rural communities. We propose a hardship exemption framework based on:

- Demonstrated public service value (e.g. emergency broadcasting);
- Proactive efforts to manage outstanding arrears;
- Clear evidence of financial hardship due to funding cycles, inflation, or unforeseen events.

Moratorium prior to the rights expiry

2

Please provide any feedback you have on the proposed moratorium date. In what circumstances should an exception to the moratorium on modifications be allowed?

The SRN notes that the proposed moratorium applies only to commercial licences under Management Rights 206 and 207, explicitly excluding community and iwi broadcasting licences managed by Te Puni Kōkiri and the Ministry for Culture and Heritage.

We support the moratorium as a means to ensure fair and transparent spectrum management within the commercial sector, preventing any last-minute licence changes that could create unfair advantages during the transition.

We also recommend MBIE work closely with Te Puni Kōkiri and the Ministry for Culture and Heritage to ensure post-2026 changes to non-commercial licences uphold equity, resilience, and inclusion.

Proposed policy objectives for the allocation process

3

What amendments, if any, would you make to the proposed objectives and criteria?

Under section ‘1.5 Proposed policy objectives for the allocation process’ Table 1’s objectives mainly address commercial licence allocation, The SRN urges greater engagement with non-commercial, student, and community broadcasters to ensure their protection and inclusion in future spectrum planning. These broadcasters are vital for local content and serving underrepresented, at-risk communities.

We recommend refining Objectives A, B, and C to reflect the Crown’s broader public interest obligations:

Objective A: “Support the continued use of radio spectrum”

Explicitly safeguard non-commercial broadcasters—including student radio —by maintaining reserved spectrum access, in consultation with the Ministry for Culture and Heritage (MCH) and Te Puni Kōkiri, even if outside Management Rights 206 and 207.

Objective B: “Balance financial value with economic context”

Recognize the non-commercial value of spectrum for public interest outcomes like emergency broadcasting, local democracy, te reo Māori revitalisation, multilingual access, and media plurality. Student & community broadcasters provide cultural and social benefits not met by commercial radio and should be acknowledged in valuation and allocation.

Objective C: “Foster market competition”

Frame this objective to avoid undermining media diversity, public interest goals, or non-commercial access. Purely profit-driven competition risks sidelining broadcasters with statutory advertising limits (e.g. student stations capped at six minutes of ads per hour and 50% commercial income). These stations serve often-overlooked audiences and must not be disadvantaged.

Additionally, we recommend MBIE collaborate with Te Puni Kōkiri and MCH to ensure any post-2026 non-commercial licence changes uphold equity, resilience, and inclusion.

The SRN urges that spectrum allocation explicitly prioritise student and community broadcasters, who serve audiences underrepresented in commercial media—including youth, Māori, Pacific peoples, migrants, disabled, and rural communities. These broadcasters operate under mandates from the Ministry for Culture and Heritage to foster local identity, reach diverse communities, and nurture emerging talent.

Student media is an incubator & training ground for emerging musicians, broadcasters & media personalities. Commercial media would also be impaired if Student Radio was severely impacted.

To achieve this, we recommend integrating these principles into allocation policy:

Equity of Access: Spectrum policy must ensure fair access for all New Zealanders. Community and student broadcasters face transmission constraints—due to terrain, licensing (AM/FM), or lower power limits—not imposed on commercial operators. These disparities should be actively addressed.

Cultural and Historical Significance: Student and community frequencies carry deep cultural and historical value. Student radio serves as a vital training ground and hub for local music, events, and public dialogue, connecting with audiences’ commercial radio cannot. For example, RadioActive.FM’s 89FM (Now 88.6) was Wellington’s first FM and stereo FM broadcaster, while 95bFM is a cultural cornerstone in Auckland. This legacy deserves respect.

Te Tiriti o Waitangi Commitments: Spectrum allocation must align with the Crown’s obligations under Te Tiriti o Waitangi, ensuring Māori access and support for te reo Māori and Māori broadcasting.

Efficient Use with Context: While efficiency and market competition are important, they must be balanced against the social, cultural, and public value of community and student broadcasters. Any changes to their frequency allocations should be developed collaboratively, respecting their historical and cultural significance.

Approach to pricing commercial licences

5

Which is your preferred approach and why?

While this question mainly concerns commercial licences, the SRN, as a student network of community broadcasters, takes no position on commercial pricing models. However, we strongly support maintaining a distinct, free pricing framework for non-commercial broadcasters.

We urge that:

- Non-commercial broadcasters be excluded from commercial pricing models.
- A free model should be provided for student/youth stations, Community Access Media, iwi broadcasters, and other public-interest media.
- Spectrum pricing decisions reflect public interest value, not just market demand.

6

Is there another approach you would suggest? If yes, please explain how this approach would be implemented and how it would provide greater benefit against the policy objectives than the above approaches.

The SRN supports a dual-track spectrum licensing and pricing model to ensure fair, sustainable access for commercial and non-commercial broadcasters.

We recommend two distinct pricing approaches:

- Commercial licences priced competitively, reflecting their revenue potential.
- Community and non-commercial licences are free, based on service value, public interest obligations, and financial constraints such as advertising caps and reliance on public or philanthropic funding.

Key features of this model include:

- Zero fees for spectrum reserved for student, community, iwi, and public-interest broadcasters.
- Licence conditions focused on public value outcomes—emergency broadcasting, support for te reo Māori and language diversity, and service to underserved communities.
- Light-touch compliance for non-commercial operators, aligned with existing reporting requirements, to reduce administrative burden while ensuring accountability.

This approach will:

- Clarify and streamline licence administration by separating commercial and non-commercial categories.
- Promote equity and support Treaty, social, and cultural objectives.
- Protect the spectrum's long-term public value from profit-driven allocation.

Price formula

7

Do you agree with the assumptions outlined to calculate a price offer? Why? Why not?

Although this question mainly concerns commercial licences, The SRN strongly urges exempting student broadcasters from any expanded per-capita pricing model.

Student broadcasters fulfil vital public service roles under licence conditions limiting their income and audience reach. As not-for-profit entities we serve underserved groups—including women, children, disabled communities, and ethnic minorities—focusing on programming mandates rather than audience size or revenue.

Commercial broadcasters, by contrast, operate with fewer restrictions and aim to generate profit. Applying a uniform per-capita or audience-based pricing model risks undermining public-interest broadcasters by ignoring these fundamental differences.

The SRN supports a tiered pricing structure based on licence type and purpose:

- Commercial operators pay market-based fees reflecting their activities.
- Non-commercial broadcasters should be exempt due to funding constraints and public service obligations.

Pricing tied to audience size or demographics would require complex reporting, imposing burdens on broadcasters with limited capacity and on MBIE, which is not suited to oversee programming compliance—functions already managed by NZ On Air and the Ministry for Culture and Heritage.

Any pricing model must be transparent, contextual, and values-based—recognizing the non-commercial nature of these broadcasters, their reliance on variable public funding, and their critical role in delivering Crown-mandated public services.

For these reasons, we urge that student, community and iwi broadcasters be entirely exempted from the per-capita pricing framework and instead granted in-kind access to spectrum in recognition of their public service role and statutory obligations.

Duration of licences

8

Which of the two options do you prefer and why?

The SRN strongly supports extending licence periods to 20 years or more for student and community broadcasters.

These organisations operate on long-term programming schedules, funding cycles, and capital investments in transmission and studio infrastructure, all requiring stability and certainty. Short-term licences create insecurity, increase administrative burdens, and hinder strategic planning.

Key reasons for longer licences include:

- **Stability and Certainty:** Long-term licences enable broadcasters to plan investments, secure sustainable funding, and maintain uninterrupted community services.
- **Funding Alignment:** Most community broadcasters follow NZ On Air's cyclical funding. A 20-year licence aligns better with capital and transmission investment cycles, reducing operational risks.
- **Cost-effectiveness:** Longer licence terms reduce the administrative burden of renewals and compliance for both broadcasters and government, freeing resources for programming and innovation.

- Infrastructure Lifecycle: Broadcast equipment typically amortises over 15–25 years; shorter licences don't reflect these realities.
- Technological Considerations: FM broadcasting remains critical and cost-effective for reaching local and underrepresented audiences and emergency communication, with no likely replacement before 2051.

The SRN's sustained investment in FM infrastructure depends on the financial and operational stability that 20-year licences provide.

9 Is there another option that should be considered? What would this be and why?

The SRN supports 20-year licences for student and community broadcasters, recognising the need for long-term stability in delivering public-interest services.

We acknowledge that the commercial sector operates in a faster-changing environment influenced by shifting markets, technology, and audience trends. As such, shorter terms—such as 10 years—may be more appropriate for commercial licences.

The SRN recommends a hybrid licensing model for non-commercial broadcasters: an initial 10-year term with conditional automatic renewal for those demonstrating consistent public value. This renewal should be streamlined by using existing frameworks—such as NZ On Air agreements, and established reporting—avoiding new or duplicative compliance requirements.

This model balances government goals for accountability and flexibility with the sector's need for long-term certainty. It supports non-commercial broadcasters through a transparent, low-burden renewal process that reflects their community impact without adding undue administrative strain.

10 What licence duration would make most sense for your company/organisation? Why?

The SRN strongly supports 20-year licence durations for student and community broadcasters.

Long-term licences provide the security needed for infrastructure investment and strategic planning. For broadcasters deeply rooted in their local communities, spectrum frequencies are part of community identity. A 20-year term offers both economic stability and sustained connection with audiences over time.

This timeframe aligns with capital investment cycles required to maintain and upgrade transmission infrastructure, enabling broadcasters to:

- Plan and implement equipment upgrades, site access negotiations, and digital transitions;
- Align with funding cycles, such as those administered by NZ On Air;
- Reduce administrative burden on both the Crown and small, resource-constrained media organisations.

Shorter licence terms risk undervaluing the enduring public service role of community broadcasters and could discourage the long-term investments essential to their continued service.

11 What should be the difference in tenure for AM vs FM, if any?

As FM broadcasters, The SRN has no preference in differences in duration between AM and FM licenses.

12

What duration of time of non-use would be appropriate for triggering the Crown's right to take back the licence?

The SRN supports the Crown's right to revoke unused licences to prevent spectrum squatting. As a 24/7 broadcaster (excluding technical outages), we have no strong preference for a defined period of non-use, but recommend it not exceed three years.

However, any licence revocation for non-commercial or community broadcasters should consider both technical and financial constraints. Temporary non-use due to financial hardship or technical limitations should not automatically lead to cancellation. Student broadcasters, in particular, often face greater financial pressure and rely on aging infrastructure compared to commercial operators.

RNZ and Schedule 7 provisions in the Radiocommunications Act

13

How do the sections of the Act advantage or disadvantage your business?

Stations that make up The SRN are recognised Schedule 7 broadcasters, and we support 20-year licence durations. However, the Radiocommunications Act should be updated to reflect the current landscape—differentiating between Schedule 7 broadcasters that continue to operate as public service community or student stations, and those primarily delivering commercial content.

While we acknowledge and support RNZ's essential public service role and its Schedule 7 recognition, this legislative preference creates systemic inequities. Other non-commercial broadcasters with comparable public service mandates lack equivalent recognition and protections, despite fulfilling similar functions.

14

How might the Crown provide fairness to all licence holders?

The SRN calls to establish a dedicated "public interest broadcaster" category—encompassing Student Radio (SRN), RNZ, CAMA, iwi radio, and other non-commercial broadcasters.

This category should guarantee:

- Access to reserved spectrum blocks;
- Long-term licensing with public interest conditions;
- Automatic eligibility for fee waivers;
- Policy mechanisms to achieve operational parity with RNZ.

We also encourage the Ministry to work closely with NZ On Air and the Ministry for Culture and Heritage to develop an integrated regulatory, funding, and accountability framework. This would align licence protections with national media and cultural policy goals, ensuring long-term spectrum access for public interest broadcasting.

15

What options do you see for how the Crown might address its preference for 10-year licences, given this legislative barrier? Would you prefer the options developed are operational or legislative? Why?

The SRN supports legislative reform as the most effective and future-proof solution to the challenges faced by public interest broadcasters. Operational workarounds risk inconsistency over time, especially with shifting governments and policy priorities.

Legislative change would:

- Provide clarity and consistency for public interest broadcasters;
- Remove institutional barriers to equitable treatment;
- Align licence terms with infrastructure lifecycles and emergency management needs;
- Safeguard student radio as a vital cultural and historical part of New Zealand's media landscape.

Reform should explicitly recognise the role of student and community broadcasters in amplifying underrepresented voices and supporting emerging local content. It must also ensure equitable treatment alongside RNZ, acknowledging their distinct but complementary public service roles.

If immediate legislative change is not possible, we recommend MBIE adopt clear, formal operational policies to support extended, renewable, or rollover licences for non-commercial broadcasters.

Non-commercial use of AM/FM radio broadcasting spectrum

16

What changes, if any, should be made to the reservation of spectrum for iwi radio, community radio and RNZ?

The SRN strongly supports the continued reservation of spectrum for non-commercial services, including Student radio, Community Access Media, iwi radio, and RNZ.

These broadcasters play vital democratic, cultural, and public safety roles—often providing the only content available in minority languages or region-specific formats. FM transmission remains the most accessible and reliable platform for reaching local audiences, many of whom lack access to digital alternatives.

Student and community radio also hold significant historical and cultural value. As embedded community institutions, their frequencies are central to local identity. Student radio has pioneered local broadcasting, nurtured emerging talent, and fostered civic engagement. Notable examples include RadioActive.FM – (once on 89FM now on 88.6FM), the country’s first stereo FM station, and Auckland’s 95bFM, a cultural cornerstone.

We recommend:

- Maintaining all current non-commercial spectrum reservations;
- Preserving or expanding FM/AM access for Student Radio Network stations facing terrain or coverage challenges;
- Updating policy settings to better support underserved, multilingual, and rural audiences, while recognising the cultural and historical significance of spectrum allocation.

Currently reserved blocks

17

Should the reservations in block 16 – 19 continue into the new right in their current form? What changes would you make, if any?

The SRN supports the continued protection of reserved spectrum blocks, with targeted updates and reassessment where appropriate.

Specifically:

Blocks 17 (Youth) and 18 (National Māori) should be reactivated and reviewed in close consultation with sector partners, including the Ministry for Culture and Heritage and NZ On Air, to evaluate their effectiveness and future use.

These blocks must retain their original public-interest purpose; temporary commercial use should not replace their intended mandate.

Priority access should be given to media organisations facing signal or tower limitations—especially in FM-only regions—to ensure equitable coverage.

Given that the five recognised student radio stations already meet many criteria for the National Youth Network, policy discussions should explore how Block 17 can better support existing student broadcasters and potentially revitalise the network under a refreshed framework.

18

If unused spectrum was to be released, what would bring greater benefits: reassigning these licences to commercial or other non-commercial use? If non-commercial, to whom? If commercial, how should it be made available to market?

The SRN strongly supports prioritising the reallocation of unused spectrum for non-commercial purposes.

Beneficiaries should include:

- Broadcasters serving youth, disability, and migrant communities;
- Student Radio Network stations currently constrained by limited licences;
- Public service and emergency communication initiatives.

Only after all non-commercial needs are fully met should remaining spectrum be made available to the commercial sector—and then through transparent, values-based processes that include local content requirements and community engagement obligations.

Releasing reserved spectrum solely to commercial interests risks worsening media concentration and undermining Aotearoa’s pluralistic media landscape. Community broadcasters—mandated by the Ministry for Culture and Heritage—are critical in delivering locally produced, public-interest content, especially to Māori, youth, and other underrepresented groups. Opening unused spectrum to commercial operators without safeguards would disadvantage these essential services and threaten media diversity and accessibility.

Local Commercial FM licences

19

Do you agree with comparing the original intent of LCFM with the proposals in this document to determine their continuation? If not, how would you prefer they were assessed?

As this matter relates to local commercial spectrum, The SRN offers no position. However, we encourage that any review of LCFM reallocation include an assessment of how the spectrum is currently being used. Specifically:

- Do these broadcasters provide public-interest programming consistent with community broadcasting principles?
- Or are their operations primarily commercial in nature?

Such a review would help determine whether certain LCFM users could be more appropriately classified—and supported—as community broadcasters.

20

Which option do you prefer: the proposal outlined or maintaining the status quo (Local Commercial licences remain, with strict conditions and are charged at a lesser price than commercial licences)? Please explain why you prefer this option.

This question refers to local commercial FM licences which is outside of The SRN’s scope as a non-commercial student radio network.

21

If maintaining the status quo, how should the price be calculated to account for the retention of strict content provisions in the licence agreement while acknowledging that these are commercial licences with revenue potential?

This question refers to local commercial FM licences which is outside of The SRN's scope as a non-commercial student radio network.

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If the proposal outlined is to progress, will there be enough time to transition by April 2031? If not, why not?

This question refers to local commercial FM licences which is outside of The SRN's scope as a non-commercial student radio network.

Closing comments

Are there any other comments you wish to make?

The Student Radio Network (SRN) — comprising 95bFM (Auckland), Radio Control 99.4FM (Palmerston North), RadioActive 88.6 FM (Wellington), RDU 98.5FM (Christchurch), and Radio One 91FM (Dunedin) thank MBIE for encouraging consultation on this important topic. We welcome an open dialogue that includes all broadcasters in shaping a world-class broadcasting landscape. We look forward to continuing our partnership with RSM and MBIE as a provider of local New Zealand content.

Our perspective is grounded in equity, diversity, and the vital public service role of non-commercial broadcasters in Aotearoa.

Our sector delivers content by, for, and about communities often underserved by mainstream and commercial media. Student media is an incubator & training ground for emerging musicians, broadcasters & media personalities. Commercial media would also be impaired if Student Radio was severely impacted.

While much of this consultation focuses on commercial operators, we have addressed key issues relating to equity, access, and spectrum planning. We appreciate MBIE's recognition of the distinct frameworks for iwi and community broadcasting.

We strongly urge MBIE to:

- Guarantee long-term, improved spectrum access for non-commercial broadcasters through in-kind licensing;
- Exempt non-commercial services from pricing models designed for commercial media;
- A free model should be provided for student/youth stations, Community Access Media, iwi broadcasters, and other public-interest media.
- Establish a dedicated "public interest broadcaster" category encompassing student, Community Access Media, iwi, and ethnic media;
- Collaborate closely with NZ On Air, Te Māngai Pāho, and the Ministry for Culture and Heritage to align policy and funding; and

- Uphold Te Tiriti o Waitangi obligations and principles of inclusion and resilience in spectrum management.

The SRN look forward to ongoing engagement with MBIE and partner agencies to ensure Aotearoa's radio spectrum serves all communities—not only those with the greatest commercial capacity.