



**Screen Production and Development Association, *Waka Papaho***  
**Box 9567**  
**WELLINGTON**

**Tel: (04) 939 6934**  
**Fax: (04) 939 6935**

**Email: [info@spada.co.nz](mailto:info@spada.co.nz)**  
**Web: [www.spada.co.nz](http://www.spada.co.nz)**

Fiordland National Park Draft Management Plan Review

Department of Conservation

Freepost 62487

P O Box 743

**Invercargill**

*By email: [mlong@doc.govt.nz](mailto:mlong@doc.govt.nz)*

28 February 2003

### **Submission on Fiordland National Park Draft Management Plan**

The following is the Screen Production and Development Association's submission on the Fiordland National Park draft management plan released by the Department of Conservation. We are not requesting to appear before the Board at this stage but are happy to, should the Board require.

#### **A Background**

SPADA is the foremost industry organisation representing film and television producers, production managers, directors and associated industry personnel in New Zealand. We have over 325 company and individual members. Our mission statement is to be *the leading advocate for a robust screen production industry which strives to enhance a diversity of New Zealand screen culture.*

This submission has been approved by SPADA's Executive, a board annually elected by its members, and has been prepared after member and industry consultation.

SPADA's interest in making a submission on the Fiordland National Park Management Plan draft derives from the fact that our members and associates have a long tradition of filming around and in National Parks in New Zealand. These members include film-makers at work on feature films, television programmes and commercials. Subsequently collectively referred to as "films".

As a separate exercise SPADA has already developed a set of filming protocols with Te Runanga O Ngai Tahu. The filming protocols are available through the SPADA website [www.spada.co.nz](http://www.spada.co.nz) and the Ngai Tahu website.

We respect the twin aims of National Park philosophy: *Preservation as far as possible in its natural state, and freedom of entry and access for public enjoyment.*<sup>1</sup> It is in our interest just as much as it is in the interest of DOC, Ngai Tahu and park visitors that the Park is respected and nurtured and that access is subject to some restriction. SPADA is committed to ensuring that access to the park for film makers, as well as for other concessionaires, is operated openly under fair and easily understood guidelines.

## **B: Submission Detail**

1. SPADA has consulted widely with the industry and the Department of Conservation on National Park Management plans. During that consultation several assumptions have been generally accepted by DOC. They include:
  - a) That the record of film crews in fulfilling their concessions requirements is exemplary and that there is no suggestion that film crews are causing harm to the physical environment. In many cases, locations are left in a better condition than they were found;
  - b) That the growth of filming in National Parks will be small and probably held at a relatively constant level;
  - c) That filming can benefit the wider Park-related infrastructure, such as providing business for aircraft operators which helps ensure that the business is viable and available for DOC activities; and
  - d) That large productions of the scale of *Vertical Limit* and *The Lord Of the Rings* are exceptions and likely to occur perhaps once every five years in the case of *Vertical Limit* (throughout New Zealand) and possibly never again in the case of *Rings*.
  
2. Our comments on the wording of the Plan follow:

---

<sup>1</sup> National Parks Act 1990, Section 4

<b>Our Submission is that:</b>	<b>We seek the following decisions:</b>
<p><b>Section 4.3.5 Wilderness Areas</b> Proposed South West/Cameron Area</p> <p>We note, with some concern, the inclusion of a new Wilderness zone in the plan. Land falling into this category has severely restricted access for all concessionaires, including the small-scale, non/minimal impact film crews who would previously have had access to this area. Section 14 of the National Parks Act clearly forbids the use of vehicles, building structures or animals in designated Wilderness areas, effectively eliminating it as a potential filming location. As the discussion box in this section points out, given its topography the South West/Cameron area is already a wilderness. Film makers have a reputation as being responsible concessionaires and the Southland conservancy has said it has not had any major issues with film makers in the past. If the effects of filming activity can be avoided or remedied and given that most of the filming activity is likely to be small scale, we would argue that filming should at least be able to be considered on a case-by-case basis.</p>	<p>That the proposed South West/Cameron Wilderness area be classified as a Remote Experience Area or a Backcountry Area which would allow filming activity as a concessionaire activity.</p>
<p><b>Section 4.4 Recreation and Tourism Concessions</b></p> <p>Restricting concessions to keep other park visitors' use and enjoyment of the park is not objected to but we ask that the department differentiate between film concessions and tourism and recreation concessions. Increased pressure for use and development of the park is mainly from recreational users. Filming concessions will in most cases be small-scale and minimal impact and should not be restricted because of perceived effects from other concessionaire activity such as recreation and tourism. Further, enjoyment of the park is not refined to visitor appreciation but can also mean appreciation by audiences of filmed works</p> <p>Requiring a concessionaire to fund a monitoring programme is ultra vires the powers of the Department under s17X and 17Y of the Conservation Act.</p>	<p><b>Amend</b> point three under implementation in Section 4.4 to</p> <p><i>Overall, <u>tourism</u> and <u>recreation</u> concession operations will be kept at levels that do not detract from other visitors' use and enjoyment</i></p> <p><b>Delete</b> all references to concessionaires funding monitoring programmes.</p>

<p><b>Section 4.5 Aircraft access</b></p>	<p>In reference to our previous submission on the proposed South West/Cameron Wilderness area, SPADA requests aircraft access be permitted in this part of the park via the its designation as a backcountry or remote experience area.</p>
<p><b>Section 4.12: Filming</b>  SPADA commends the Department for a filming policy which is, on the whole, both practical and enforceable. We especially commend the distinction between small-scale and large-scale filming operators.</p> <p>However, the policy relating to allowing the use of non-indigenous animals associated with filming activity in the park is confusing.</p> <p>In the rationale text of the policy the following statement appears:</p> <p style="padding-left: 40px;"><i>It is inappropriate to allow the use of animals associated with filming activities in the park which are not indigenous to the park</i></p> <p>Yet the implementation text , which appears later in the filming section, seems to imply that non-indigenous animals are <u>only</u> unacceptable if the filming activity is in conflict with the visitor settings of its location:</p> <p style="padding-left: 40px;"><i>...Where an application for a small-scale operation is received which is inconsistent with sections 4.3-4.6, the department may recommend to the Minister of Conservation that a concession only be granted if:</i></p> <ul style="list-style-type: none"> <li>• <i>It does not involve using animals which are not indigenous to the park...</i><sup>2</sup></li> </ul> <p>SPADA seeks clarification. We acknowledge that there may be instances where non-indigenous animals cannot be brought into the park but concessionaires should know exactly what they are and what the Department’s justification for this is. Applications for filming concessions should be heard on a case-by-case basis. If a</p>	<p><b>Amend</b> this sentence to read:</p> <p><i>It does not involve using animals which are not indigenous to the park where the negative impacts cannot be avoided, mitigated or remedied.</i></p> <p><b>Delete</b> the sentence “ It is inappropriate to allow the use of animals associated with filming activities in the park which are not indigenous to the park” from the Rationale text of the Fiordland National Park management plan.</p>

<sup>2</sup> Fiordland National Park Draft Management Plan, Department of Conservation, November 2002, Pg146

<p>concessionaire can prove, in their application, that negative effects from their activities can be avoided, mitigated or remedied, their concessions should be considered for approval as a matter of procedural fairness.</p> <p>We would also request that the term “inappropriate” be removed. Ambiguous terms such as these are open to a wide range of interpretations and can be misleading.</p> <p>The plan should focus on the effects of proposed activities rather than using abstract or vague terms such as “inappropriate”.</p>	
<p><b>Glossary</b> The glossary in the indices of this document could be usefully expanded. Terms such as “natural values” and “national park values” occur throughout the plan but are not listed in the glossary. Terms that can be vague and open to different interpretations must have definitions and rationales.</p>	<p><b>Expand</b> the glossary to include terms such as “natural values” and national park values”.</p>

## Conclusion

Fiordland National Park is justifiably recognised as one of the most beautiful natural areas in the world. The Park can be attractive as a filming location but the presence of filming activity is relatively minor. Currently the park attracts small-scale filming operations: all of the 29 filming concessions that were approved in the last financial year were for small-scale filming activity<sup>3</sup>. It is likely that this will continue to be the majority of the applications received.

Developing sensible and enforceable policies for filming activity in consultation with industry groups such as SPADA, Film New Zealand and the local councils will ensure that the needs of both the Department and the screen production industry will be met.

We forward to hearing from you. Thank you for the opportunity to comment.

Yours sincerely

**Jane Wrightson**  
**Chief Executive**  
**Email: jane@spada.co.nz**

**[sent unsigned by email]**

---

<sup>3</sup> Information provided by P C Taylor, Concessions Manager, Department of Conservation, Te Anau office