

# filmNZnews

“the world in one country”

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## Marketing New Zealand

through the film connection

*Since the early 1990s New Zealand's Diplomatic and Trade Posts have been consistently active in promoting and marketing the products of New Zealand's screen production industry as well as acting as the front door to the international industry when coming to film here. The round up of reports from "our people" in Los Angeles/New York, London, New Delhi and Milan, highlight the activities (but belie the effort) involved in developing an increasingly significant sector of the New Zealand economy.*

## Working Together In The USA...



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With approximately NZ\$10 billion worth of US film and TV productions going off-shore, the US is a major target for Film New Zealand's promotional activities.

Film NZ is supported in the US by Trade NZ, Investment NZ and the Ministry of Foreign Affairs and Trade (MFAT). MFAT, with Darryl Dunn and Di Cloughley at the New Zealand Consulate in Los Angeles, Ambassador Bolger at the Embassy in Washington, work jointly with Trade NZ's Miett Fear at the New Zealand Consulate in New York to promote the New Zealand screen production industry to the US market.

Over the past 6 years Trade NZ has been a major funder of Film NZ and along with MFAT, a supporter in various offshore markets including Los Angeles, New York, London and New Delhi.

Since last August Film NZ has also been financially supported by Investment NZ.

Trade NZ has provided funding towards the annual Film NZ stand at Locations Expo. Last February through additional funds from Investment NZ, (NY) the stand was given a significant boost, with new graphics from *Lord of The Rings* and *Vertical Limit*, that created a dynamic display that was very positively received.

The New Zealand Consulates General, as with other New Zealand government missions overseas, support the development of business links and promote investment between New Zealand and the host country. The Los Angeles and Washington Consulates' top priorities are business development and investment promotion while other MFAT offices focus more on government-to-government relations. Both Consulates General give film promotion and support for the NZ industry, high priority.

Los Angeles is an acknowledged centre of the global screen production industry. It is one of the foremost centres of production and financing and is where key decision-makers are based and work. The value of filmmaking from Los Angeles is worth over NZ\$200 million to New Zealand annually. The *Lord of the Rings* trilogy by New Line Cinema alone accounts for a reported \$US270million.



Darryl Dunn Consul-General Los Angeles

Darryl Dunn explains, "Our role here is to develop on-going relationships with Los Angeles based US film-makers and persuade them of the attractiveness of New Zealand for the making of films, both as a place and an industry, and of the depth of New Zealand's creative talent. We do this

through networking with local filmmakers and through promotional, profile-raising events, making full use of the New Zealand government residence in Brentwood."

"In addition to the annual party we host in February we hosted a pre-screening of *Vertical Limit* on the Sony lot last November for a production audience and have also hosted similar screenings and receptions for other films, such as *Heavenly Creatures* and *Once Were Warriors*, in Los Angeles and Santa Barbara. These events provide a valuable opportunity to profile New Zealand and for NZ filmmakers to meet with local film contacts in a relaxed, social environment and extend their networks into the industry."

Trade and Investment NZ also hosted a function to celebrate the US premiere of *The Price of Milk* in New York in February. With Ambassador Bolger, director Harry Sinclair and cast present, an overwhelming response meant people had to be turned away from the 350-seat cinema.

New York is home to the independent film companies and to many of the global advertising agency headquarters. Offshore commercial shoots also offer a steady flow of foreign exchange for NZ production companies.

Another Film NZ promotional activity supported by Trade NZ included the inward mission of 6 Los Angeles executives who visited New Zealand in February 1999. Organised by Paul Speary (currently CEO of Iprolink) who at the time was based in New York, and sponsored by Air New Zealand, the mission not only reinforced the advocating of Film NZ but also increased US producers' confidence in filming in NZ and gave local industry the opportunity to network with Los Angeles on their home ground.

Members of the mission included personnel from Sony Pictures Entertainment, Walt Disney, Dreamworks, Fox/ Saban Entertainment. Since the mission, Disney Productions has filmed three television dramas in New Zealand and Sony, *Vertical Limit*.

Both Trade NZ and MFAT support the enquiry process and also support NZ filmmakers who visit the US. Assistance has been provided with the making of

introductions and arranging appointment programmes.

Miett Fear comments, "It works well having Di and myself on each coast. We have

**"It works well having Di and myself on each coast" - Miett Fear, Trade NZ New York**



Miett Fear Trade Consultant TNZ New York

regular conference calls with Investment NZ and Film NZ to keep each other informed, discuss and plan our activities. During the past year we have focused on building the relationship with New Line Cinema that was initiated through the Consulate and Mark Ordesky at Fine Line Features. We are looking at ways to leverage the New Zealand aspect from the *Lord of the Rings* trilogy and see it as an ideal way to showcase New Zealand's talents, technology and locations."

Di adds, "We have over the years cultivated personal relations with a number of individuals and companies, including many of the 'expat' New Zealand film-makers based here who tend to be our most effective allies. We also make full use of the "testimonials" from those who have already filmed in New Zealand, such as Studio USA and New Line Cinema (*Lord of the Rings*). As an example, we will be hosting an event on 19 July to mark the eight years of television production, backed by Studio USA, which produced the *Xena* and *Hercules* series and which really helped put New Zealand on the off-shore production map".

"Our role is complementary to that of Film NZ. Some other countries, such as the United Kingdom have dedicated film offices in their consulates in Los Angeles.

New Zealand, with its smaller resource base, relies on good relationships and networking amongst existing agencies. We frequently receive inquiries from film, television and commercial productions which are referred to Film NZ unless they can be easily dealt with locally."

Di has developed a database of over 2,500 contacts in the film sector, which, along with the "Hollywood Creative Directory" purchased annually by the post, provides fairly extensive coverage of the local industry.

The other very important role of the Los Angeles Consulate is facilitating the travel of productions going to New Zealand. All work visas for the entertainment industry (including musical and artistic performers as well as film) are issued in Los Angeles. The office is proud of their good reputation amongst the local industry for being fast, fair and helpful.

**"Our role is complementary to that of Film NZ.." - Di Cloughley, Executive Officer NZ Consulate General Los Angeles**



Di Cloughley, Executive Officer, NZ Consulate Los Angeles

Di and Miett agree that other entities including Air New Zealand, NZ Tourism and the Economic Development Agencies have also played an important role in supporting the NZ film industry offshore, including financial support for, and participation in, many of the events and activities organized by the posts. Miett says "We are looking at ways to extend a NZ Inc. approach and unify our resources and efforts to generate greater impact. It's the continued coordinated approach that will succeed and benefit all parties."

## Of WIFTI Women and Wine...

This report from Fiona Welch Trade Consultant, TNZ London

*Before mid-2000 The London office of Trade New Zealand had little involvement with the film industry. All that changed however, when the office was approached to become involved in the Women In Film & Television International summit, scheduled for October 2000 in London.*

### Who are WIFTI?

Women In Film & Television International (WIFTI) was inaugurated in Los Angeles 26 years ago, and has 10,000 members worldwide, with 42 chapters in 14 countries (including NZ). It is a membership association, which is open to women with at least one year's experience in any aspect of the film or television industry. The bi-annual international summit attracts attendances from North America, the UK, Scandinavia, Greater Europe, Africa and the Caribbean. It offers an opportunity for members to discuss issues pertinent to the industry, as well as to highlight the domestic film industries of the various nations involved. When the UK chapter was chosen to host the 2000 summit and suggested NZ may wish to be a highlight of the summit schedule, Trade New Zealand was keen to participate, alongside Air New Zealand, as a major supporting partner of the event.

### WIFTI Panel

The NZ chapter of WIFTI chose to run a panel session on film and television production in NZ: the possibilities of international co-production and the advantages of NZ as a production location. The panel included Robin Laing (film producer), John O'Shea (Pacific Films) and Fiona Milburn. Following the session, Trade New Zealand co-hosted the final function of the summit in the penthouse of NZ House near Piccadilly in central London. Attendees were treated to extraordinary views of the Thames and major London sights, as well as Pacific-style food prepared by UK-based NZ chef Peter Gordon, and wines supplied by by Michael Seresin, film director and owner of Seresin Estate in NZ.



Air NZ cabin crew serve chef Gordon's special canapés to a WIFTI UK delegate and Fiona Welch at the Penthouse function.

From the session and function, it was apparent that there is significant interest in NZ as a production location. The numbers of UK productions that have recently been produced or are currently shooting in NZ (including Cloud 9's *The Tribe* for British Television, Palana's *Dark Knight* TV Series, and the BBC's television adaptation of Sir Arthur Conan Doyle's *The Lost World*) are testament to the growing awareness in the UK about NZ and our screen production industry.

Trade NZ London is keen to capitalise on this as well as the extensive publicity surrounding *The Lord of the Rings*, to attract further quality productions to NZ in co-operation with Film NZ. UK companies produce approximately 100 feature films annually, and an increasing number are shot in overseas locations. The London office believes that NZ should be able to attract such productions as well as television features and commercials, not only through marketing our stunning locations and experienced cast and crew, but also through highlighting the technology and technical capability that has been developing in NZ for several years. The use of special effects in particular is an area experiencing huge growth, and NZ has a growing reputation for servicing work of this type, which will be significantly enhanced once *The Lord of the Rings* is released.

The London office currently provides assistance to Film New Zealand in filtering enquiries from UK producers about filming in NZ. In the future, the office hopes to assist the organisation in proactively promoting NZ to the UK industry, through in-market activities. In the interim, Trade New Zealand will continue to profile the UK industry, developing networks and monitoring opportunities that may be of interest to NZ.



**“The New Zealand session went very well .We presented an overview of the current production environment, focusing on the possibilities for joint ventures, official co-productions and how to meet potential partners”**

-Fiona Milburn, WIFTI 2000, Auckland delegate

**“At the New Zealand closing party, hosted by Air NZ at NZ House, we were all treated to a sumptuous feast of New Zealand food and wine, courtesy of Peter Gordon and Seresin Wines – not to mention the best view in London...The guests had a fabulous time and left well pleased”.**

-Robin Laing, WIFTI 2000, Wellington delegate.

**STOP PRESS!**

**Following New Zealand’s success at the WIFTI London summit, WIFT NZ were asked by the WIFT International Board to consider hosting**

**The next WIFTI in 2002. A feasibility study to look at hosting the 2002 summit has been commissioned with funding from NZFC with support of WIFT Auckland and Wellington and a decision made soon on this exciting opportunity.**

## **Attracting the Indian Film Industry to New Zealand.**

*(Or capturing film crews can be fun... as Peter Healy Trade Commissioner TNZ New Delhi relates in this report from India...)*

One hot day in Trade NZ New Delhi early in 1998 the decision was made to capture the hearts and minds of the Indian film industry and see if we could entice them to New Zealand.



We did it for these reasons – firstly, we liked the look of the heady mix of glamour and crime that is Bollywood. It looked like a lot more fun than selling coal or apples and maybe, just as profitable

for New Zealand. We thought the huge production capacity of Bollywood (which makes more movies than Hollywood) might mean work for the New Zealand screen production industry if we could get them away from Switzerland and down to the “Switzerland of the South Pacific”.

Secondly, we were trying to build the number of Indian tourists and students visiting New Zealand (Trade NZ New Delhi acts for the New Zealand Tourism Board in India). But, we didn't have a big budget to tell India about New Zealand.

## How We Went About It.

To our knowledge one Indian film crew had been to NZ in 1994 (they were looked after by Kamal Singh) but beyond this New Zealand had very little contact with the Indian film industry. At that time neither Trade NZ nor Film NZ knew much about them.

We decided to make our way to their hearts through their stomachs - and so built a mailing list of leading Indian directors and producers and invited them to a "taste of NZ" feast at an unglamorous Mumbai hotel in the heart of Bollywood. We had no idea if any would turn up. In the event 45 did. Then we showed them NZ tourism videos, the Film NZ promo and served lots of New Zealand wine. We also introduced them to Air NZ who part sponsored the event.

## A Great Success

The night was a great success that ended around 3 a.m. Within a month the first crews had lodged their visa applications and it was here that the wonderful Singh family swung into action. Without Kamal, Uma, Atima, Nandini & Raajew, I doubt whether any of the crews would have been looked after once they arrived in NZ. They have been absolutely critical to the success of the Bollywood to New Zealand

project.

Following this success we teamed up with Air NZ, Tourism NZ and Film Wellington & repeated film promotion nights in Chennai, Hyderabad and in Mumbai again some six months later.

All in all I doubt if we spent more than \$5000, and most of it was begged and borrowed.

## The Results.

We achieved far more than we ever expected. Over 65 Indian film crews since shot in New Zealand and it is estimated the annual foreign exchange revenue from the direct crew spend now runs at \$3m per year. While we had also hoped to generate jobs in the New Zealand screen production industry what is important to realise is that the value to New Zealand at this point is not only in what the Indian crew spend but also the enormous exposure of New Zealand as a tourist destination.

## The Impact of Bollywood

The impact of the film *Kaho Naa Pyaar Hai* is hard to over-estimate. It features some 55 minutes of NZ and it is estimated that more than 500 million Indians have seen it. Meet any Indian today and they'll tell you "I saw your beautiful country at the movies". Last year when down south at a little town near Hyderabad, I stopped for a coke and

while drinking it, was asked by the small boy who served me, where was I from. When I said "New Zealand", he replied, "I've seen your country at the movies". Perhaps this little guy may never make it to New Zealand, but the same recognition and exposure is happening across all sections of Indian society.

In the months following the release of *Kaho Naa Pyaar Hai*, tourist visa applications from India rose nearly 50%. Indian tourism to NZ is growing at 36% per annum, one of our fastest developing markets. We believe we can build on the exposure not only for our tourism trade but also for New Zealand education marketing in India.

## Making Friends

With the numbers of film producers and directors ringing our New Delhi office increased, we established the position of a dedicated person within Trade NZ New Delhi to assist them. Since her appointment, Neera Arora has built up a solid relationship with the Bollywood film community and now has a very good knowledge of their needs and works effectively to smooth the way for their visits to New Zealand. Like Kamal Singh, she has been a key to the success of the project and has come to know personally, many of the leading identities in the Hyderabad film world.

## Benefits to the NZ Screen Production Industry.

The Indian crews are increasingly employing NZ film technicians, actors and

equipment. However, the impact will remain small relative to the numbers employed by the large US or European productions. Indian films are also beginning to employ Kiwi actors, stunt people, extras and dancers and rather than pretending it is north India, the latest films are scripting NZ into their story lines which is likely to further increase the employment of New Zealanders.

Trade NZ is committed to increasing the percentage of NZ based film technicians employed on the Indian shoots and we have set an objective of

achieving an average of one NZ based person for every 8 India based. When Indian directors or producers approach our New Delhi office, not only do we assist with their NZ arrangements but we also discuss with them where

NZ crews can be employed. Positive experiences with New Zealand crew technicians are being passed by word of mouth through the Indian film community and this will further encourage employment. The flexible, accommodating approach of the New Zealand screen production industry is a major reason why Indian crews travel to New Zealand for location filming. Relative to Canada, the USA and Australia, New Zealand is viewed very favourably in this respect.

### Keeping Friends

We have a very valuable tiger by the tail, but keeping him happy and focused

on New Zealand is not going to be easy. Virtually every Trade Office in Delhi is now targeting the Indian film crews and most of them have budgets we can only dream about. Film in India is all about relationships and provided we and the Kamal Singh family can maintain our contacts there is no reason why 15 to 20

Indian shoots should not continue to be filmed in NZ each year. The Indian audiences will demand new locations and to facilitate this we are working with Kamal and local government funded film promotion agencies such as Film Wellington to open up locations beyond Christchurch and Queenstown. Nelson, Wanganui, New Plymouth & Napier, could do also very well. If any of these communities would like to target the Indian directors with information on their locality Trade NZ would be delighted to work with them. The Indian crews love flowers, mountains, blue water and green fields. But they also want great nightlife, Indian food and shopping. We have to give them the entire package if we are going to keep them coming...

*Peter Healy*  
**Trade Commissioner**  
**TNZ New Delhi**



## Italian Government Incentives for Film

While Italian audiences are drawn mostly to US productions, they also have a deep feeling for films made at home, some of which have received international acclaim such as *Cinema*

*Paradiso* (Oscar, Best Foreign Film), *Il Postino*, *La Vita è Bella* (Oscar, best Foreign Film) and, most recently, *La Stanza del Figlio* (Palme d'Or, Cannes).

Nevertheless, Italian film production has been facing a decline since the early 1980s, which has continued into the 1990s with a loss rate of ten

productions between 1996 (140) and 1999 (130).

Faced with this decline, in 1994 the Italian government introduced legislative initiatives designed to boost production. Legislation was passed to give financial assistance towards some of the costs of film production, to encourage new talent and to cover financial losses for film projects that met certain criteria. The legislation consisted of three categories:

- \* 3-year loans to companies with special interest rates for the production of *commercial* films;

- \* loans for the production of cultural *interest* for 90% of production costs up to NZ\$10 million, of which only 30% must be paid back should the film prove profitable; and

- \* loans to new directors for 90% of production costs up to NZ\$3 million, of which only 10% must be paid back should the film prove to be profitable.

In 1995, the Italian and New Zealand governments commenced working on a co-production agreement which was signed, after ratification, by both governments in 1998. Interest from Italian

producers/directors to film within New Zealand has been minimal as yet, as has also been the situation in regards to New Zealanders filming within Italy.

If the Italian government's strategy reverses the decline however, it is possible that significantly enhanced opportunities under the terms of the co-production agreement may be the result for both countries.

*From Sonja Maddock, Trade Consultant TNZ Milan*

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*The compatibility between tourism and film is a natural one but some of the challenges faced are alluded to here in the following article and the opinion pieces from Tourism Ashburton and Latitude Nelson.*



## **Celluloid Tourism**

New Zealand films have enjoyed increasing success on the world stage over the last few years.

Part of Tourism New Zealand's strategy is to broaden the view of what New Zealand offers as a visitor destination to include our culture and our people as well as the better known natural and adventure attractions. This is where synergies between film and tourism come to the fore. Although

Tourism New Zealand does not proactively market New Zealand film, we have been working as a group with Film NZ, the NZ Film Commission, and Trade New Zealand to see how we can best harness opportunities, specifically presented by the impending release of the first instalment of the *Lord of the Rings* trilogy.

**"Our challenge is to harness the growing interest in New Zealand by showing what it's really like."**

The relationship between such films and their airing on an international stage can be very useful in increasing awareness of New Zealand. However, films like the *Lord of the Rings* trilogy, which do not portray New Zealand as New Zealand, but as another country – in this case, another world – 'Middle Earth' – do not necessarily increase that awareness. Our challenge is to harness the growing interest in New Zealand by showing what it is really like. – TOURISM NZ



Caroline Blanchfield  
Ashburton District Tourism

### ***Adapting to Meet the Needs of the Screen Production Industry***

As a district tourism marketing organisation working to maximise the visitor numbers through our district we recognise that film is an industry that provides a longer length of stay and sometimes considerable injection of capital into our tourist destinations. The screen production industry is also an employer of our labour force, from highly skilled professionals through to the semi skilled labour force.

The Canterbury region recognises that it is important to have a centralised dedicated film office and database of “film friendly” companies and individuals wanting to work with the industry. Canterbury is ideally situated to provide a vast range of locations to prospective film producers.

Film South was set up by a group of film, tourism and economic development leaders who recognised the potential that this kind of film office provides. The challenge of organisations such as Film South is to educate and encourage individuals and companies to provide the infrastructure required by the screen production industry. Film South is also compiling a database of operators and individuals who want to actively work in this market. Film South will also actively market Canterbury as a premier film destination and will network with other film offices in other neighbouring regions as well as Film New Zealand and the NZ Film Commission.

The Canterbury region has also recognised the need to educate its operators that film is

not an 8am-10pm operation and does require that little bit extra effort. For example, crews coming in from a day's filming may not necessarily make it in time for the normal restaurant or bar hours. Special attention needs to be paid to these details to make sure that they are provided with a friendly atmosphere and our famous “Kiwi Can Do” attitude.

A number of productions have come into our district recently and it has highlighted the fact that operators need to be fully informed on the requirements of film companies and staff. With education and information operators can adapt to meet these needs.

We can market New Zealand as a premier film destination as we have done with tourism, but we need to adopt a flexible service ethos and realistic pricing structure that will encourage film companies to come back on a regular basis.

It needs to be recognised that the screen production industry is not tourism and should not be treated as such. The film or commercial production comes into town for a longer period and has different needs from the tourism market.

We have the locations, we have the labour force, now we need to follow that up with the ideal service.



Paul Davis  
Latitude Nelson

### ***Tourism & Film in Nelson Region***

Images of a region created through film boosts external awareness in a way tourism destination marketing can't, says Paul Davis, CEO of Latitude Nelson, Regional Tourism Organisation for Nelson Tasman region. And increased awareness about the landscapes and attractions of a region

through film has very obvious tourism spin-offs, he says.

"While our region is a relative new-comer to the film location business, results so far show that, like many regions of New Zealand, Nelson Tasman has scenic, climatic, and support services which cater well to niches in the film industry".

Paul Davis says the 'Studio New Zealand/Home of Middle Earth' promotional map released recently by Film New Zealand, highlighting *Lord of the Rings* shoot locations throughout the country, will help tourism as well as the screen production industry.

"In our case, shoot locations from the Kahurangi National Park will be better known world-wide, and that will be good for international visitors seeking the type of experience the Park offers".

He said that *The Lord of the Rings* Trilogy was also example of how widespread the benefits of film could be for regions. In our case, many of Nelson's artists and craftspeople, such as jewellers, glassblowers, and furniture makers, all produced art works used in the film. The direct economic benefit was great, but more importantly, the heightened profile for some of Nelson's artists will pay dividends for a long time in the future.



## Cannes 2001 - A Mix of Highs and Lows

*This year's Cannes Film Festival 9-20 May, involved more than 1900 companies (with 6,164 registered participants) - a record high in the Cannes market history. Of the 717 films launched (up from 663 in 2000), almost 50% had their premiere screenings in Cannes, reinforcing it as the most important market of the year.*

But the general mood of the market was downbeat. There were few deals, and the market was slow for lower-budget independent films. The uncertainty created by the now-resolved writers strike threat, the threat of the actors strike, the strength of the US dollar and general lacklustre economic conditions being experienced in key markets like Germany and Japan were all factors in delivering mixed results for sellers.

There were few hot pics on the Croisette this year, but those which did create a buzz were the new Robert Altman, *Gosford Park*, Sicilian flick *Ginostra* from French director Manuel Pradal, Danis Tanovic's *No Man's Land* and the Coen brothers' *The Man Who*

*Wasn't There*. The New Zealand film *Rain* also came in for considerable attention. The Palme d'Or was won by Nanni Moretti for *The Son's Room*; the Grand Prix going to Michael Haneke's *The Piano Teacher*.

## Lord of the Rings Preview

It may not have been in the festival, or even completely finished, but *The Lord of the Rings* trilogy attracted almost as much attention as the competition films. The world's press and Rings distributors were treated to a 26-minute screening of *The Fellowship Of The Ring*, which opens worldwide in December. Journalists and distributors alike raved about the 'seamless special effects' and 'dazzling digital effects sets', and gave the footage a hearty round of applause.

The Film Commission was represented at Cannes by Alan Sorrell (Chairman), Ruth Harley (Chief Executive), Richard Fletcher (Business Affairs), Michael Wrenn (Creative & Marketing) and Kathleen Drumm (Sales & Marketing) and Gordon Harcourt assisted with publicity. David Gascoigne attended on behalf of the Film Fund. Director Vanessa Alexander was a guest of the Cannes Festival Forum where her film *Magik and Rose* screened along with Harry Sinclair's *The Price of Milk*. Jane Gilbert of Film New Zealand handed out 300 copies of the

Studio NZ/NZ Home of Middle Earth map at the NZ reception at our new Cannes office. Sue Thompson of the Film Unit joined us, along with producers Vincent Burke, Sue Rogers, Dave Gibson, Yvonne Mackay, John Maynard, John Keir, Steve Sachs, Andy Calder, Keith Hill, Vanessa Sheldrick and Gillian Ashurst (representing *Snakeskin*), Michelle Turner & Hamish Rothwell (representing *Stickmen*).

The NZ delegation was completed by Miett Fear of Trade NZ in Washington, Bridget Gee from the NZ Embassy in France and freelance journalist, John McGrath.

## 'RAIN IS HOT' - MOVING PICTURES

Christine Jeffs' first feature debuted in the Directors' Fortnight to a combination of critical acclaim and commercial success. The French media feted Christine and also interviewed the rest of the Rain team at Cannes - DOP John Toon, producer Philippa Campbell and actor Sarah Piersie



*Rain* an evocative mood piece..

*Rain* has sold to the US, France, Brazil and Korea and there is significant interest from the remaining territories. The film's success was particularly notable given the downbeat nature of the market place, which left many

sellers with few if any sales. Most of the critics were fulsome in their praise.

*"Signalling first time director Christine Jeffs as a promising talent, Rain is an evocative mood piece, enriched by gorgeous visuals...it communicates a powerful sense of time, place and atmosphere that holds attention throughout. Like so many NZ film makers, Jeffs and DOP Toon display a remarkable feel for nature and landscape..."*  
- Variety

*"Alicia's interpretation is wonderful as an adolescent aware of her sex appeal, considerably enriching this promising film"* -  
Le Monde, Paris

## TRIBUTE TO LINDSAY

A three-page feature on Lindsay Shelton appeared in Moving Pictures at Cannes and was full of praise for the *"tireless promoter of New Zealand film. His sense of humour is welded to his professionalism, and these elements have endeared him to the film community, making him as popular as he is respected"* wrote Andrew Urban.

*"It's a tough, brutal market and it isn't easy selling films. But he has forged alliances and kept up personal relationships...I can't speak highly enough of him"* said Roger Donaldson.

*"Put simply, Demons would not have sold as well without him"* said Glenn Standring.

The tributes were sincere and universal and included comments from Tony Safford of 20th Century Fox, Bob Aaronson at Fireworks, Victoria Treole of Miramax, Sue Murray at Fine Line, and Michael Kutza at the Chicago Film Festival. Jeff Lipsky was possibly the most effusive, talking sainthood - *"his zeal will one day, decades from now, qualify him for canonisation, I for one, will miss him greatly"*.

— NFZC

## STUDIO NZ/New Zealand Home of Middle Earth Map

*Taking advantage of New Zealand's high profile at the Cannes Film Festival due to the Lord of the Rings media previews organised by New Line Cinema and a continuing high profile due to New Zealand Film Commission funded films such as Rain, a double-sided map to beat all maps made its own debut.*

Based on an original idea by Jane Gilbert of Film New Zealand, the concept was developed by a creative team consisting of Daniel Reeve, an illustrator for *Lord Of The Rings*, graphic designer Adam Simpson and project director Nigel Hutchinson, on behalf of Film New Zealand in association with Investment NZ (a division of Trade New Zealand) and the New Zealand Film Commission.

**The Studio New Zealand/New Zealand Home of Middle Earth** map is aimed at putting New Zealand firmly on the world map when it comes to being directed to the huge amount of talent and skills relative to the screen

production industry, that are available here.

In commenting on the map Jane Gilbert explains the map's purpose. "We're positioning New Zealand as a whole creative environment, making it the equivalent of a studio. We sell resources, infrastructure and creative skills to the world and the map promotes New Zealand's creative environment and superb film infrastructure".

On the **Studio New Zealand** side are listed the locations of the majority of NZ Film Commission assisted feature film productions made in the period 1977 to the present. "The investment made by the NZ Film Commission in our own local production industry over the years

**"New Zealand  
is the Harrods  
of location  
production"**

makes everyone aware of the skills base that has underpinned a large scale feature like the *Lord of The Rings* – it could not have happened without that investment and development. The whole production community have been unanimous in their delight at seeing their industry represented in

such a visual way", Jane Gilbert says.

The **New Zealand Home of Middle Earth** map lists the locations where the *Lord of The Rings* trilogy was shot, also depicting the artisan and craft skills in evidence throughout the country, which were used on the films. An extraordinary range of skills are represented, coopers, tanners, weavers, a roof-thatcher, prop-makers, boat-builders, stonewall builder, metalcaster, boot and costume-makers...and the list goes on, revealing just how broad a range of creative capabilities can be found here.

As a co-operative effort between Film New Zealand, Investment New Zealand and the NZ Film Commission, Jane Gilbert emphasises a further significance for the map - the way it helped build and cement relationships among all of those who, with the blessing of the film's producers New Line Cinema, worked on developing the map.

"The map couldn't have come about without the goodwill of all who were involved. It was always about a combined approach and we were able to achieve that magnificently and I think the map is a brilliant outcome of that co-operation", she said.

So far the map has only had a targeted international distribution and to local government

and associated central government agencies but, already, requests for copies are flooding in from around the world and the response has been overwhelmingly positive. During her recent visit to Cannes Jane Gilbert relates how members of the international screen

production industry who were totally impressed by what Studio New Zealand has to offer constantly approached her. "They couldn't sing their praises highly enough of what we have here. They're impressed by our locations, our technicians the overall quality of our

exclusive, high quality product – New Zealand is the "Harrods" of location production – and the *Studio New Zealand/New Zealand Home of Middle Earth* map is proof of it", she said.  
-FNZ



## MIP-Hop

*In April a group of New Zealander producers left these shores, show-reels, fliers and little furry kiwis in their suitcases, destined for Cannes and the madness that is MIP TV - the world's biggest television programming market.*

11,000 people buying, selling, pitching and schmoozing. Amongst it all was Television @ New Zealand - a New Zealand umbrella stand which this

year comprised the Gibson Group, Greenstone Pictures, Red Sky Film and TV, Slightly Offbeat Productions, Sunshine Productions, Te Reo Television, Top Shelf Productions and Whitebait Productions. From animation to *Zoo Babies* and most things in between, the New Zealanders had something for every buyer, and plenty of new ideas to pitch too.

Of course, at such a huge market, it is easy to get lost in the crowd. But you do have to be there if you are serious about doing business in international television. And you have to be there for about five years to really get noticed and build relationships.

Fortunately, there is a long history of NZ representation at MIP TV. The New Zealand Film Commission began exhibiting there in 1979, and when it decided after 20 years to refocus its marketing efforts in other areas, a group of independent production companies, co-ordinated by SPADA and with funding assistance from Trade New Zealand,

took over their stand space. The Television @ New Zealand Export Network was born.

**"You have to be there..."**

Three years later, in 2001, NZ producers' commitment to this market is starting to pay dividends. The NZ television production sector is increasingly global in outlook, and enjoys a strong international reputation for innovation, flexibility, and responsiveness to changing audience patterns. The original group of five Television @ New Zealand companies has grown to eight, and it looks like there will be a considerable NZ presence at MIPCOM this year too (the companion market to MIP TV, held in October each year).



## Respect - The Key to Negotiating Complex Rights

*In marketing creative product, the success of the strategy depends on the quality of the relationship established between the owner of an original work or body of knowledge and those who have negotiated the right to bring the work (often in another medium) before a new or expanded audience.*

It is a relationship which begins the moment the idea to adapt a work is conceived - and continues through the life of the partnership however it is expressed - in publications, recordings, translations to screen or stage or in any other way an original work is developed into a second generation product.

Copyright licensing can be straightforward and comprehensive or can involve complex negotiations to identify and license for exploitation, only very specific elements of an underlying work. The requirement to licence is intended to protect the notion that "intellectual property" has the same tangible value, in terms of title and ownership, as any other form of property. Intellectual property rights may be bought, sold or conditionally licensed with conditions attached that may be limited as to territory or time. It is therefore necessary, for a licensee to enter into a relationship with the owner of the rights (an individual, family, company or estate) and the success of this relationship rests ultimately on one thing – the notion of respect.

Robin Laing, who co-produced *Mr Wrong*

with Gaylene Preston, confirms the importance of the need for good manners and patience in negotiating rights. She says "There are no shortcuts". Both parties will have requirements that need to be fulfilled – it is not a one-way process. The owner, or owners of the original work must be treated with respect, as must the owner of the rights, once the rights have been licensed or in some way transferred".

In the case of film and television production, problems can arise during the production phase when other parties, who might express an interest in a benefit arising from publicity and an opportunity to market around the production, seek to establish their own marketing strategy without consulting the rights holder.

"A producer will always have a carefully devised publicity and marketing strategy which commences early in pre-production" Robin explains. "At this stage, the producer controls the public image of the product and just as cast and crew are normally prohibited from speaking to the media without permission, people tangentially involved in the production should not promote a film in any way without the permission of the producer who is the person best placed to understand the complexities of the rights relationship".

## Distribution

Once a film or programme is ready for distribution right of access concerns are particularly significant in respect of distribution as distributors, who work through a system of control of territories, cannot work effectively to promote and distribute a film without the guarantee that a producer has secured the right to the film property and marketing agreements with the holder of copyright. Distributors secure the rights to market in all their jurisdictions, and although they may be prepared to permit input in the territory of origin, the distributor manages without reservation, all inputs to all marketing relating to distribution outside that 'home' territory.

Chief Executive of the NZ Film Commission. Ruth Harley confirms this. "Without title to a work and all right of access agreements being fully established by the producer at the time the rights are secured there can be no marketing", she says. "While the NZ Film Commission isn't involved in the procurement of rights to works for screen production, our position is clear. Unless the chain of title is intact, there is no viable production and we would not be able to market a film that did not have the chain of rights established".

It should also be noted that in terms of screen product that it is intended for broadcast within New Zealand there are no provisions for the producer to have inputs into the marketing process as the broadcaster holds exclusive rights to the marketing and screening of programme material.

### Working with Estates

When the subject of a film or documentary is deceased, a situation of particular delicacy arises.

Sydney based producer/director Judy Rymer, has made a number of documentaries involving negotiating rights from family members, including *Victory Over Death*, about the life of Colin McCahon. She says that it is always important to remember in securing rights that these **are granted by the rights' holder**, in response to a producer's ability to convince them of the value of the endeavour and/or an appropriate financial offer has been made.

"You have always to remember the material isn't yours and you can't behave as if you own it".

Judy further notes that rights are usually sought in respect of someone who is regarded as public property, or who has a high public profile.

"In my experience, dealing with family members requires a great deal of careful negotiation. The public "story" about such a person quite often contravenes the family view and they will often be very protective of a famous ancestor and have very specific opinions about how their history should be reported. Transparent negotiations are

paramount so that no parties feel betrayed and good research and evidence are important tools".

When a family has been left an estate as a way of securing their future financial security, specified use is often an issue that requires negotiation through a trust lawyer. "In the case of my film about the life of Colin McCahon, I was negotiating with a family in grief and with a very valuable estate. The family was very generous to me with their granting of rights but this was only after we had talked about matters from their point of view and I had led them through my intentions for the film. It was at times gruelling and challenging, but it was essential to the process of getting the film made".

### Maori Tribal Ownership

In procuring rights to works or knowledge held in Maori tribal ownership, securing legal agreements come second to the deeper task of achieving consent where the work is regarded as intrinsic to the identity of the people whose story it is and negotiations again involve developing trust and mutual respect.

Producer and director Tainui Stephens, whose 17 years experience in indigenous storytelling, includes *The NZ Wars* and recently, *He Rau Aroha*, the story of the Maori Battalion which screened on Anzac Day, also confirms that for him, the process of obtaining rights is about respect, in a process that cannot be rushed.

"For Maori, a person's word is the greatest bond and for us the legal way with signing bits of paper isn't the preferred one. If I want to secure rights, I have to take the time. For *The NZ Wars* I spent a year travelling throughout New Zealand, visiting iwi to explain the importance of the story and to get their permission." "We attended hui, talked and got to grips on many levels, with our people. By the time we went into production, we did so with their blessing".

Cultural respect is also important in consideration of where the camera is pointed towards and where it is pointed from, particularly when it comes to

filming on tribal land or on land under the guardianship of another party. Care must be taken not to trespass upon cultural values and sensitivities when filming near sacred sites and landforms and appropriate permission must be sought. Different restrictions also apply to filming on private land or public rights of way, with distinct and separate processes needing negotiation.

## News Gathering & Current Affairs

In the area of news gathering or current affairs programmes, private research, criticism, review or study, care must be taken not to contravene the Copyright Act (!994) provision for Fair Dealings, which allows for the gathering of footage under this section of the act , but only for the express purpose of the listed activities. If end use contravenes these purposes, the fair dealings opportunity is nullified and sanctions under the terms of the Act apply.

Clearly, filmmakers work in a complex environment where the success of a production and its subsequent marketing strategy depends totally on goodwill, good manners and respectful relationships. Those outside these relationships who might wish to become involved can follow a simple rule – acknowledge the complexities and *always* contact the producer first.

## Exploding an Urban Myth

In the process of verification for this article Karen Soich, President of SPADA, exploded the commonly held perception in the industry that “You can shoot up to three minutes of film for news without permission, but after that you’ll be in trouble”.

Not so says Karen, the Copyright Act 1994 places no limitations on footage but rather, contains a “Fair Dealings” clause which provides for access to material and subjects as long as it is for the express purpose of news gathering, current affairs, private research, criticism, review and study. And if it's not – full negotiation of rights are required. Thanks Karen for clarifying the situation.

*“filmNZnews” says thank you to Robin Laing, Judy Rymer and Tainui Stephens for their contributions to the preparation of this article and to Karen Soich, President of SPADA for her review.*



**Thanks to the writers of the letters which follow – Please send your letters/comments to:**

**The Editor...**

**“filmNZnews”**

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Subject Line: Feedback

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*Now read on....*

...

✉ Well done Film New Zealand - An asset to the industry and we wish you best of luck with it. Please place FilmLab on the mailing list and if we can assist we are pleased to help.

Craig Howard (Shooter)  
FilmLab Ltd  
Marketing & Client Liaison  
Director  
[filmlab@filmlab.co.nz](mailto:filmlab@filmlab.co.nz)

✉ It was great to receive the inaugural copy of the filmNZ newsletter. I particularly enjoyed the item on the Locations Expo. Together with Wellington mayor Mark Blumsky I attended the Los Angeles expo with the team from FilmNZ and

can't speak highly enough of their professionalism and genuine passion for the industry. Needless to say that the plug you gave for Waitakere and our on-going efforts to streamline consents and other bureaucratic processes for filmmakers was also appreciated. Thanks again for the newsletter- and keep up the good work.

Bob Harvey, Mayor "Film Friendly"  
Waitakere

✉ It was great to get the Film NZ News letter, this is the first time we have had anything like this from Film NZ. There are some interesting articles which I'm sure will reach

their intended audience.

Of course I'm not entirely sure who that audience is, but I can tell you what would enhance the communication for me. I would like to see a hard data report showing what Film NZ has bought in during the period, and what activities are planned, - a sort of business report section with the stuff you'd expect to see in a business report.  
Keep up the good work

Peter

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*Suggestion noted - ED*



## world news

### FILM PROSPECTS FROM KOREA EXCELLENT

Korean film companies are interested in using New Zealand's high-tech film postproduction facilities and range of outstanding locations, reports Mr Michael Stephens, film industry lawyer and Korea/New Zealand Business Council chairman, following his

May 21 return from Korea in conjunction with the Prime Minister's official visit.

"The prospects for location shooting and post production work from Korea are excellent, as they are impressed with our combination of cost advantage and quality work". Mr Stephens, also a director of The Film Unit (Australasia's most comprehensive film postproduction facility), said many Korean film companies regularly undertake postproduction work in Australia, and were pleasantly surprised to learn New Zealand had a better cost structure and

level of postproduction technology, particularly with the high tech infrastructure put in place to service such projects as "*The Lord of the Rings*" trilogy and "*Vertical Limit*". "New Zealand now offers facilities as good as anything, anywhere; it is great this is now being recognized internationally".

Michael Stephens is working with TradeNZ and Film New Zealand to attract Asian filmmakers here for both film postproduction and joint ventures. -*Press release Michael Stephens*

## LA MAYOR PIVOTAL IN AVERTING SAG STRIKE

Settlement and endorsement between the Writers Guild of America and the American Motion Picture and Television Producers (AMPTP), has raised the hopes of the wider American industry for a positive outcome to the Screen Actors' Guild/AMPTP negotiations, whose agreements expire with a risk of strike on 30 June.

For months now we've been watching as the North American screen production industry has weighed the potential threat and impact of a strike upon production and so the settlement of one sector of the industry came with a profound sense of relief for all who feared the impact – not the least of whom, Mayor of Los Angeles, Richard Riordan, hosted a celebration breakfast on the 15 May, (the same day that the SAG talks were scheduled to begin), in honour of the “spirit of compromise” that led to the deal being struck. Mayor Riordan had been urging both sides to a compromise throughout the negotiations after the study he commissioned revealed that a five month long writers' strike and a three month long SAG strike would cost the Los Angeles economy an estimated 82,000 jobs and a revenue loss of \$US6.9 billion.

With the 30 June current agreement expiry date still two weeks away all eyes are on the talks as SAG and AMPTP try to negotiate a new settlement that will allay members' concerns over the erosion of wages, diversity, runaway production and coverage of SAG contracts on foreign shoots. Hopefully the spirit of compromise, evidenced in the WGA/AMPTP talks, is still around to show the way, but current reports (and since there is a media blackout in place) only feed speculation. Come 30 June the true situation will be revealed, but there can be no doubt it'll be fingers crossed that the “spirit of compromise” will prevail, as Mayor Riordan, in the last weeks of his own mayoralty, continues to apply subtle pressure from behind the scenes.

*Source: Variety*

## UK DISPUTE MIRRORS US TALKS

Actors' union Equity has threatened industrial action "as a last resort" if talks to negotiate better pay and conditions fail to reach agreement.

The dispute mirrors talks in the US between the Screen Actors Guild and producers who are trying to work out a new pay deal for actors.

If these talks fail, Equity is bound to consider escalating the dispute

"The cream of British talent has sent a stark message to UK film producers - pay us properly or face a dispute," said a statement from Equity, which represents 36,000 members.

The union says it has the backing of stars such as Greta Scacchi and Julie Walters.

Equity and the Producers' Alliance for Cinema and Television are due to start talks on Friday 8 June. Actors will demand a bigger slice of profits from movies, as well as proceeds from video sales and TV screenings.

"If these talks fail, Equity is bound to consider escalating the dispute," Equity said in a statement. Union spokesman Martin Brown said that a strike by performers would be a last resort, but remained a possibility.

British actors are paid a flat fee in advance for television broadcasts of films and for video and DVD sales but they get nothing extra if a film is a success at the box office. Mr Brown said Equity was not optimistic of resolving the impasse after the last round of negotiations with film producers failed in March.

"There have been no indications between March and now (May 31) that the producers have changed their minds," he said.

The outcome of the talks, is not expected to be known for some time.

*Source: BBC News Online*

## FROM RUSSIA WITH LOVE?

*Moscow festival 'snubs' Russian films*

No Russian films have been chosen to be screened in competition at the Moscow International Film Festival this year, according to reports. It is the first time in 40 years that the festival will pass by without an indigenous film in competition, the

Vremia Novosti newspaper reports.

A spokeswoman for the festival - which opens on 21 June - told BBC News Online that "It would be very unusual if no Russian film was selected for the festival.

However, BBC News Online understands that the judging panel, headed by German film director Margaret Von Trotta, has indeed not selected any Russian films.

The judges felt no Russian film was good enough for selection, according to Vremia Novosti. Other

highly-regarded Russian films, such as *Taurus*, have already been shown at the Cannes Film Festival. Ironically, *Taurus* - directed by Alexandre Sokurov - was the first Russian film ever to be shown in competition in Cannes.

Actor Dennis Hopper is expected to take part in a demonstration against film piracy during the festival. *Moulin Rouge*, starring Nicole Kidman and directed by Australian Baz Luhrmann, will close the festival. Source: *BBC News Online*

*Article co-ordinated on behalf of FSNZ by Dunedin City Council.*

## CASE STUDY:



**Go to:**

[www.filmsouthernnz.com](http://www.filmsouthernnz.com) and visit a website that is the show piece of a highly successful collaboration between Central Otago District Council, Dunedin City Council, Queenstown Lakes District Council and Southland District/Invercargill City Council.

Behind the attractive and informative site with its links to

resource directory, image library, and to associated sites for local and central government agencies including [www.filmnz.com](http://www.filmnz.com), are the efforts of a dedicated team of people who could see the scope and benefits of working together to develop a successful marketing strategy that would put their respective localities in front of the world's screen production industry.

The result of the collaboration can be seen for itself. It is an example of outcomes which occur when people decide to work across demarcations of districts to market a region with locations which in their variety and beauty are jewels in the crown. Already paying dividends in dollar terms, the success that isn't quite so apparent is in the cementing of a common purpose with the building of an infrastructure that is intended to be film friendly, forward thinking and aware of the benefits of developing location filming as a sustainable resource. In March 2000, Council representatives of all four districts, Central Otago

District, Dunedin City, Queenstown District and Southland District Councils, met to discuss the film production in their various districts. From this initial meeting came the realisation that the industry in each district was complementary and an overall package would provide an excellent resource. Further, this realisation established the motivation to develop a common marketing approach called Film Southern New Zealand.

Through funds from the Community Employment Group, a co-ordinator was engaged to organise the online directory, location gallery and marketing material needed for the Film Southern New Zealand website.

In addition to the development of the website, [www.filmsouthernnz.com](http://www.filmsouthernnz.com), an attractively presented 'kit' with promotional material on each district and the entire region has been developed. A regional "Film Industry Database", with

funding support from the Community Employment Group, is well established and available on-line.

Estimated economic returns confirm that the decision to market in this manner has been a wise one. The Queenstown Lakes District economy benefits on average by \$20-40 million each year from screen production and in 2000 it attracted two large film productions *Vertical Limit* and *Lord of the Rings*. Otago's economy is estimated to benefit on average by \$40 million a year. In February 2001, Dunedin attracted the first "Bollywood" production to film

here. It was a successful shoot that gave employment to many and spent approximately half a million dollars in the two weeks it was here.

Film Southern New Zealand also readily acknowledges that successful models already developed by Enterprise Waitakere in conjunction with Waitakere City, and Wellington Capital Development Agency have shaped their approach to location marketing and management significantly. In keeping with the wish to continue to provide good service and to sustain momentum in development, an announcement is shortly to be made of the

appointment of a film officer to be located at Dunedin City Council.

Two years down the track with much time and discussion, effort and resources going into the creation of Film Southern New Zealand we are proud of the outcomes and the teamwork and co-operation that brought it about. Guided by the wisdom of experience from those who had the expertise in other councils, and with the assistance of Film New Zealand in its relationship with the international screen production industry, we are looking to the future, confident our region will benefit hugely in the years ahead.

## Resources



### Filming Activity Approvals

*In this article Brian Saipe from Enterprise Waitakere summarises the status quo of filming policy developed within the framework of the Waitakere City District Plan, which is underpinned by The Resource Management Act, 1991. The Waitakere City District Plan is significant in as much as its rules identify filming as a distinct activity. Procedure for dealing with temporary road closures for filming is currently under review in Waitakere.*

#### Policy in Waitakere City

Waitakere City policy states that Filming Activities should be managed in a way

that recognises the generally short-term nature of the activity.



*Beautiful - Bethell's Beach.*

The adverse effects of Filming Activities on amenity character, in particular traffic generation and modifications to the landforms from temporary structures, should be avoided, mitigated or remedied.

The policy explanation states: 'this policy recognises the special characteristics of filming as an activity. Most filming involves the construction of temporary sets, which have only a transitory effect on the environment. Filming can also generate extra traffic, although generally for short periods of time, and this traffic may need to

be managed to avoid any adverse effects'.

Filming activities are defined as: "the use of land and buildings for the purpose of commercial video and film production and includes the setting up and dismantling of Film Sets, and associated facilities for staff".

Film set(s) means "the construction and use of any structure for the purpose of Filming Activities provided that the structure is removed at the completion of Filming Activities and is not used for any other activity". (Waitakere City Council Decision notice 41)

Filming activities not involving the construction of any buildings for up to 30 days in any environment other than the transport environment is classified as a temporary activity. Filming activities not involving the construction of any buildings for longer than 30 days in any environment other than the transport environment

is generally classified as a "permitted activity" in the Community/Working/Open Space environments, a "controlled activity" in the Waitakere Ranges / Foothills / Countryside environments, a "discretionary activity" in the Living and Rural Villages environments and as a "non-complying activity" in the Coastal Villages and Bush Living environments.

Heli-shoots are addressed under the Effects on Amenity and Health (general noise standards), ie.

HELICOPTER LANDING AREAS (District Plan) RULE 1.6 [100].

h1.6.2 Permitted Activities

(states) Helicopter operations shall be a Permitted Activity where:

*(a) the weekly noise standards specified in the following table are not*

*exceeded at any part of a site (other than the site on which the helicopter*

*lands or takes off) situated within the relevant Human Environment Human Environment Ldn dBA Lmax dBA*

*Living, Countryside, Foothills, Waitakere Ranges, Bush Living, Coastal*

*Villages, Open Space 50 70*

*Working, Community, Hospital Special Area 65 N/A*

*Working [95] 75 N/A*

(helicopter noise shall be measured and assessed in accordance with the requirements specified in NZS 6807: 1994 "Noise Management and Land Use Planning for Helicopter Landing Areas" but excluding part 4.2 which is replaced by the table above); and [95]



*Beachfront – Bethell's Beach, Waitakere District*

*(b) all helicopter flights are flown in accordance with noise abatement techniques specified by the Helicopter Association International; and*

*(c) all helicopters using a helicopter landing area have either an FAA noise certificate or a comparable New Zealand Certificate acceptable to the Air Transport Division of the Ministry of Transport; and*

*(d) the landing and take off flight paths are restricted to avoid passing over any Residential Activity; and*

*(e) helicopter operations overfly any Residential Activity by no less than 300 metres*

## Practice in Waitakere City

### Filming as Temporary Activity

In most instances, filming activities are able to occur for up to 30 days (as a temporary activity) without requiring a resource consent. On rare occasions, such as when the Glare rules of the Open Space Environment would be infringed, or conditions of an existing resource consent approval would be infringed, a

resource consent is required. It is also possible in certain circumstances that an Air Discharge Consent is needed (for burning etc) or certain activities are not allowed due to an infringement to a Council By-Law (dog handling, noise etc).

### Filming, Not as a Temporary Activity

Filming activities not involving the construction of any buildings for longer than 30 days in any environment other than the transport environment is generally classified as a "permitted activity" in the Community/Working/Open Space environments, a "controlled activity" in the Waitakere Ranges / Foothills/ Countryside environments, a "discretionary activity" in the Living and Rural Villages environments and as a "non-complying activity" in the Coastal Villages and Bush Living environments.

### Filming on Waitakere City Council Land

This has become largely a matter between Enterprise Waitakere, which, as the local Economic Development Agency, manages the application process on behalf of the City Council. Council is informed of each application and checks to see if a resource consent is required. The majority of these applications do not require consent, and where this is the case Enterprise Waitakere is able to issue an approval for filming after Council has determined the terms and conditions. An approval involves a much simpler and quicker process than obtaining a resource consent and is a totally different document. The EDA often liaises with

additional interested parties, including other agencies, which the film production company must contact.

### Filming on Private Land

For filming on private land, consent from the landowner is required. In addition, filming organisations may need to obtain a resource consent prior to filming, which will be required if the filming is not a temporary or permitted activity. Advice can be obtained from Enterprise Waitakere.

In addition, Waitakere Council recognises that filming has been carried out on the Wheeler property at Bethell's Beach and provides for filming as a "permitted activity" as part of the Large Property Management Rules for Wainamu. (Waitakere City Council Decision notice 87B (1)). A substantial amount of exterior location filming for inbound offshore production occurs on this property, eg. *Hercules : The Legendary Adventures: Xena - Warrior Princess*; numerous films and commercials.

The permitted activity status applied to this property and the now flexible approach to approving filming activities on

adjacent reserves have been very important factors in the continuing development of this area as a film friendly location for overseas producers.

A "controlled activity" requires a resource consent, but the conditions are less stringent than those for activity categories other than "permitted".

### Traffic Generation

Where filming activities occur for less than thirty days they are treated as temporary and therefore, permitted activities. If they occur for more than thirty days filming activities are classified as non-residential and controlled, thus requiring resource consent. The conditions of these resource consents are addressed under the traffic generation (Non-Residential Activities) rules for the countryside, foothills and Waitakere Ranges environments. (Waitakere City Council Decision notice 37).

These rules give Council the power to limit matters of duration, scale, safety, hours of operation, and the number of vehicle movements if it considers such action appropriate.

In simple, practical, terms filming projects are most likely to be affected by consent conditions in a situation where a production company sets up a non-permanent location where filming activities take place for more than 30 days.

### Temporary and Partial Public Road Closures

*Currently under review.*

### Film Sets

In most cases, a building consent will not be required by WCC for a film set pursuant to the Building Act 1991 - THIRD SCHEDULE (EXEMPT BUILDINGS AND BUILDING WORK), clause (m) part (l), which states:

A building consent shall not be required in respect of the following building work:

*[(m) Any other building work in respect of which the territorial local authority considers that a building consent is not necessary for the purposes of the Act because that building either -*

*(i) Is unlikely to be carried out otherwise than in accordance with the building code.*

## Location, Location, Location

Since the 1980s, John Wheeler's 'film friendly farm' at Wainamu in the district of Waitakere, has hosted numerous productions. As a private landowner working with film crews John has garnered a good deal of experience. When approached by "filmNZnews" to share

something of that experience with us, John kindly penned what follows. Landowners in other districts perhaps interested in doing the same, may find his experience useful.

"My involvement with the screen production industry at Wainamu and Te Henga began in 1978 with Logan Brewer, Brian Walden and Murray Newey, on a

Television series *Children of Fire Mountain* for South Pacific Television.

Right from the start we were impressed by their straight up and professional way of doing business and running operations. We made a considerable effort to make them welcome and the show a success. They appreciated our local knowledge and expertise.

They employed quite a number of local people and the income was much appreciated in an area that had little to offer in employment at that time.

From this early beginning and the positive experiences for the local people and the production company, more productions came to use the location and local talent. Over the years among them were, *Trespassers* (Finlayson/Brewer Productions 1983). *Heart of The High Country* (Phillips Whitehouse Productions 1985), *The Adventures of Black Beauty* (Isambard Productions 1989).

### Working with Pacific Renaissance Pictures

In 1993, the American production company Pacific Renaissance Pictures arrived, looking for locations for the *Hercules* series. Partially due to the positive welcome and the availability of a "can-do" source of local talent, they chose this area against other world-wide locations. Their production turned into eight years of employment, location fees, and benefits to the local community, enabling many to build homes, develop businesses and save for retirement. This single production has been a huge financial contributor to Waitakere City and would have had a measurable effect on the Auckland economy.

The location fees received by both private and public property owners provide an income to maintain these properties, for example, by replanting and control of weeds.

Local Organisations such as the Surf Club and Fire Brigade have had considerable benefit from filming, supplying premises, equipment and personnel.

In the Wainamu and Te Henga area there is a large amount of public Use. Unlike the general public, the film crews are directly responsible and answerable, always having a location manager whose specific job is to deal with any problems the

**"We have always found film crews very willing to manage environmental effects..."**

landowner or local community may have with the film company. These people are professional in their approach and often develop a long term relationship with the people that they deal with. Also, we have always found film crews very willing to manage environmental effects. By the very nature of their business it is in their interest to preserve the environments that they work in and maintain a healthy relationship with the local people.

### Code of Practice

In our area we have developed a "Code of Practice" for film crews, which assures an ongoing beneficial relationship between film crews and our neighbours. We have found that regulations can be very difficult for film productions to work with, where time is often a very important, and potentially costly factor, so our Code of Practice is useful. Fees are paid and a bond, if necessary-which, along with our Code of Practice, has worked very well for us for over twenty years of working with film productions. It is also a standard practice in our area to have a "skilled local" on any film crew wherever possible. This allows

the "local" to monitor the filming activity and anticipate any problems.

I cannot emphasise enough the huge financial, environmental and community benefit, to our area, in the past 20 years that we have been dealing with these very professional production companies and their employees".

### \* Editors Note

The Code of Practice, to which John refers, is an informal code he has developed as guidelines with those with whom he has worked, film crews and people in his neighbourhood. His Code of Practice is not to be confused with any other formal codes of practice such as those developed through legislative processes such as within local government or mandated by membership of other professional organisations working with or within the screen production industry.

## Last Word ...

### Wellington Regional Council Launches *Here and Now*

On the evening of Thursday 14 June, Wellington Regional Council held the official launch of its video "Here and Now" (we featured the story in our the "Resources" section of our first newsletter).

Produced in house by Mike Bodner, Susan Edward and Anne Manley, the video promotes Belmont, Kaitoke, East Harbour, Queen Elizabeth II Regional Parks and Battle Hill Farm Forest Park, as first class film locations, with easy access and all within an hour's drive from the city's production bases.

The transformations into mythical lands that Kaitoke and Belmont have undergone are shown, as captured on screen in Palana Productions' TV series *Dark Knight* and 3foot6 Productions' *Lord of the Rings*.

The potential for the regional parks to be used in a variety of script settings has also been demonstrated. It is an impressive resource.

Film NZ have distributed *Here and Now* to every serious enquirer who has come to Film NZ's desk. It has been sent to major studio location departments and the physical production departments, distributed at Locations Expo in Los Angeles in February and most recently, at Cannes in May.

Film NZ looks forward to receiving similar material from other Regional Councils from throughout the country to enhance its own already substantial locations resource database and, similarly, to distribute such materials in the same way.

Jane

## Contributors (In Order of Appearance)



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