



Australian Government
Director of National Parks



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Commercial Image Capture and Use Licence Application for Kakadu National Park

Information for applicants

Kakadu National Park is a Commonwealth reserve established under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) to manage the environment of the region for the benefit of all people, present and future. The Director of National Parks uses a licence system to help regulate exclusive and restricted use commercial activities.

Commercial Image Capture Licence Agreements are better suited to larger or unique image capture projects within the park. These licences can accommodate more complex needs such as working with traditional owners, accessing more remote areas, setting up significant equipment or product placement, promotions and advertising.

Licensed projects typically involve greater involvement from the park than that of a permit holder as they call for larger crews (generally 4 people or more) and/or require props, sets or other equipment other than recording devices for their project to proceed. Licences are also essential for projects that seek to access a variety of areas in the park, including areas not usually open to the public, or for projects that wish to work in the park for an extended period of time (over 5 days). Additionally, licensed projects call for greater involvement of Kakadu staff, infrastructure and equipment, in addition to the services of traditional owners.

Licence applications will be assessed against a number of criteria which are used to ensure all projects align with Kakadu's World Heritage values, Plan of Management and the wishes of the traditional owners.

	Licences
Used for...	These are typically large, more complex projects with crews of 4 people or more for a period of over 5 days. Some advertising, promotion or product placement projects may also require a licence.
Processing Time	(up to) 8 Weeks
Application Fee (non-refundable)	A fee of \$200 on application.
Licence Fee	To be determined on application based on project requirements could include fees for staff supervision or "talent", traditional owner involvement or exclusive site use.
Use of Sets, Props, structures and Other Equipment	The use of sets, props, structures or other equipment in addition to filming/recording devices.
Kakadu Staff and Traditional Owner Assistance/Supervision	A requirement for involvement of Kakadu staff and/or traditional owners.
Use of Kakadu Equipment and Infrastructure	A requirement for the use of Kakadu plant, equipment and/or infrastructure.



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How to Apply?

To apply for a licence, please:

- ensure you understand and are prepared to comply with the licence conditions
- answer all the questions in the application form—if you need more space than is available on the form, please attach a separate sheet
- complete the application checklist (see page 15)
- send the application to the address at the end of the application package.

Ensure you answer all the questions to the best of your knowledge; there are severe penalties for giving false or misleading information. By posting, emailing or faxing this application form to the Tourism Services Officer, all proposed licence holders agree that if a licence is issued, they and their staff and agents will act in accordance with all of its licence conditions. All information will be treated in strict confidence.

For more information on the assessment process, please refer to the Commercial Image Capture and Use Guidelines.

Need More Information?

Contact the Tourism Services Officer ph: 08 8938 1170 or e-mail kakadu.permits@environment.gov.au.

Website: www.environment.gov.au/parks/permits/kakadu-tours.html

The EPBC Act and Regulations can be viewed at www.environment.gov.au/epbc/index.html or purchased from CANPRINT by telephoning 1300 656 863.

Individuals and other commercial entities (e.g. companies and associations) wishing to conduct commercial activities in the park, including commercial image capture and use, need to have a permit or licence issued by the Director. The Director may issue a licence only if:

- the activity is consistent with:
 - the purpose for which the park is declared
 - any lease of indigenous people's land in the park
- the activity is not likely to:
 - endanger public safety
 - unduly damage the park
 - unduly interfere with the preservation or conservation of biodiversity or heritage in the park
 - unduly interfere with the protection of other features or facilities in the park
 - interfere with the privacy of a cultural event held in the reserve by the traditional owners of Aboriginal land in the park
 - interfere with the continuing cultural use of the park by the traditional owners of Aboriginal land in the park
 - interfere with the privacy of other persons in the park
- the activity benefits the public or persons using the park

In making a decision about whether to issue a licence, the Director may take into account whether a person to whom the licence is to be issued has, in the last 10 years, been convicted of or is subjected to proceedings for an environmental offence under the EPBC Act.



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COMMERCIAL IMAGE CAPTURE AND USE LICENCE APPLICATION FORM

Kakadu National Park
Tourism Services Officer
☎ 08 8938 1170 Fax: 08 8938 1117
✉

APPLICANT & ACTIVITY DETAILS

Name of proposed licence holder:

(individual(s), partnership, company, association or other commercial entity)

Trading name(s):

trading name 1

trading name 2

trading name 3

Business details:

postal address town/city

state postcode country

telephone number fax number

business e-mail

web-site

ABN state of business registration business name registration #

Details of primary contact person for the proposed licence holder:

name position title

business address

state postcode Country

telephone number fax number

e-mail

Proposed dates and itinerary: *(note: a separate application is required for each project)*



SELECTION CRITERIA

Please address all selection criteria – if further space is required, please attach extra sheets and any supportive documentation you wish to support your claims

1. Project Scope. What is the name and intention of your project.

Protection & promotion of World Heritage Values

2. Kakadu is one of very few places World Heritage listed for both its cultural and its natural values. How will your project protect and promote these values? How will you ensure that the information you wish to convey is accurate and appropriate?



3. Previous Experience

Are you able to provide evidence of similar projects have been undertaken successfully by you or your company in the past?

4. Environmental impact assessment

Some activities unless previously approved, may require environmental impact assessment by the park and other activities may require assessment and approval by the Minister under the EPBC Act. For further guidance refer to section 8.3 of the Kakadu National Park Management Plan 2016-2026.

- a) If required, an Environmental Impact Assessment has been carried out in accordance with the park's management plan:

Yes ☐ No ☐ N/A ☐ Unsure ☐

5. Environmental sustainability

- a) Please describe the project's commitment to environmental sustainability. This could include energy, fuel and water conservation, environmental organisation membership or in-kind support, waste management, recycling, engaging environmentally sensitive procedures and how you will mitigate environmental impacts during your time in Kakadu (If you have an environmental policy, please attach it).



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6. Insurance, other

- a) Insurance - the Director of National Parks generally requires \$20 million in public liability insurance for commercial activities in the park. If your project is of low risk and small crew, you can apply for a lesser amount of insurance. During your application, please discuss your options with the Tourism and Visitor Services unit. A certificate of currency must be provided with the licence application.

Public Liability Insurance (attach certificate of currency)

Yes ☐ No ☐

Optional – you are welcome to provide written references of your business or based on commercial image capture and use projects you have worked on previously. Attached?

Yes ☐ No ☐

7. Risk management and safety of crew and members of the public

A high standard of risk management and safety is required (including risk to the visiting public, specific business-related risk and Workplace Health and Safety). This includes incident management, wildlife interactions (Kakadu is crocodile country), reasonable supervision, considerations of differing levels of fitness, experience and abilities, supply of sufficient water etc.

- a) Please describe your Work Health and Safety procedures. You can attach relevant documents. (could include First Aid certificates, carrying first aid equipment etc).

- b) Please provide details of strategies you will put in place to manage any foreseeable risks you have identified in the proposed project. You can attach your risk



management plan and emergency procedures.

c) How does your project propose to minimise the impact on other visitors to Kakadu? If you require exclusive access to an area, how will these impacts be minimised?

d) How do you propose to manage the project? Please list all key staff and their role in this project.

8. Benefits to Bininj/Mungguy traditional owners

How will Kakadu's Aboriginal traditional owners benefit from your project? Have you considered engaging with local businesses or employment opportunities for Bininj/Mungguy? (Provide previous project examples working with local people and community benefits).



Equipment Requires

a) What equipment will you be bringing with you for this project?

b) Does the Park need to assist with provision of equipment as part of your project? If so please list.

c) Do you require traditional owners or park staff as “talent” in your project? Please list requirements.



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KEY PERSONNEL & EQUIPMENT DETAILS

Details of staff to be employed and covered by proposed licence:

(Please list full names of all partners, directors or committee members. (If more space required, attach separate list)

Full name	Address	Title

Subscribe to the Kakadu Road and Access Report and Kakadu Newsletter (optional):

The Kakadu Road and Access Report and Kakadu Newsletter provides up to date information about road and walking track conditions, openings and closures and other relevant information and stories. The **Road and Access Report** is distributed daily and the Kakadu Newsletter fortnightly via email. List below to indicate which of your staff would like to receive this information.

Full Name	Position	E-mail Address	Office Use Only
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

VEHICLES TO BE USED

Vehicle make	Model	Registration	Gross Vehicle Mass	Pax Capacity	Office Use
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>



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APPLICATION FEE PAYMENT DETAILS

Please complete the following details:

Tick one:

Mastercard ☐

Visa ☐

Bank Cheque ☐

card holder's
name

credit card number

expiry date

cardholder signature

today's date

amount AU\$

\$200

Official Use Only

Credit Card or Bank Cheque?	Date Bank Cheque was handed over to Business Support	Date of charge	Invoice generated?	Stickers generated?



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APPLICATION CHECKLIST

Use the checklist below to ensure your application meets all the necessary requirements for applying for a Commercial Image Capture and Use licence in Kakadu National Park. (Please tick box as appropriate.)

	YES	NO
Does the proposed licence holder have current public liability insurance cover of \$20 million in respect of each and every claim?	<input type="checkbox"/>	<input type="checkbox"/>
Will the public liability insurance cover all of the proposed activities in the park?	<input type="checkbox"/>	<input type="checkbox"/>
Will all staff, including all employees, contractors, volunteers and other agents conducting the proposed activity be covered by the public liability insurance?	<input type="checkbox"/>	<input type="checkbox"/>
Is a copy of the certificate of currency for the policy of public liability insurance held by the proposed permit-holder attached to this application?	<input type="checkbox"/>	<input type="checkbox"/>
Web address: _____		
Are the details of all staff to be employed or contracted on the project in Kakadu National Park completed?	<input type="checkbox"/>	<input type="checkbox"/>
Are the details and registration numbers of vehicles to be used for the proposed activity completed?	<input type="checkbox"/>	<input type="checkbox"/>
Has all supporting evidence listed in the selection criteria been attached?	<input type="checkbox"/>	<input type="checkbox"/>
Have all the questions on this application form been completed?	<input type="checkbox"/>	<input type="checkbox"/>
Has the agreement on this application form been read, signed and witnessed?	<input type="checkbox"/>	<input type="checkbox"/>
Has the declaration on this application form been read, signed and witnessed?	<input type="checkbox"/>	<input type="checkbox"/>
Have payment details for the application fee been provided (see page 14)	<input type="checkbox"/>	<input type="checkbox"/>

Answered no? Please provide a brief explanation to assist us with processing your application:



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AGREEMENT

THIS DEED made the

day of

20

WITNESS as follows:

In consideration of the licence issued to the licensee, the licensee agrees to:

- a) release the Director of National Parks, the Commonwealth of Australia, and their servants and agents ('the released parties') from all and any claims which the licensee might at any time hereafter have or have had against the released parties in respect of any injury, loss or damage which may be suffered by the licensee in the course of the licensed activity, except to the extent that any act or omission involving fault on the part of the released parties contributed to the relevant injury, loss or damage; and
- b) indemnify and keep indemnified the Director of National Parks, the Commonwealth of Australia, and their servants and agents ('the indemnified parties') against all actions, proceedings, claims or demands brought against the indemnified parties in respect of any injury, loss or damage arising out of:
 - (i) a breach of the licence conditions by the licensee or the licensee's staff; or
 - (ii) an act or omission involving fault on the part of the licensee or the licensee's staff in carrying on the licensed activity,except to the extent that any act or omission involving fault on the part of the indemnified parties contributed to the relevant liability, loss or damage; and
- c) take all reasonable steps to ensure that the licensee, the licensee's staff and the licensee's clients comply with the conditions subject to which the licence is issued; and
- d) provide information about the licensed activity as reasonably requested by the Director.

Note: The Director will only request such information for park management and planning purposes, and agrees not to disclose to any other person any information so provided without the express permission of the licensee unless legally required to do so.

Proposed licence holder's name

This agreement is to be signed by the proposed licence holder, or if the proposed licence holder is a company or other commercial entity, by its duly authorised officer.

Signed

Date

 / /20

In the presence of

(witness's name)

The witness must be at least 18 years of age.

Signed

Date

 / /20



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DECLARATION

I, , the applicant for this licence, declare that the information in application is correct to the best of my knowledge AND that none of the proposed licence holders have been convicted¹ of, or is presently subject to proceedings for, an offence under:

- a) the EPBC Act or Regulations; or
- b) another law of the Commonwealth or a State or Territory about the protection, conservation or management of native species or ecological communities; or
- c) section 6² of the *Crimes Act 1914* or sections 11.1, 11.4 or 11.5³ of the Criminal Code in relation to an offence under a law mentioned in a) or b) above; or
- d) a provision of a law of a State or Territory that is equivalent to a provision mentioned in c) above.

If you cannot make this declaration because a proposed licence holder has been convicted of, or is subject to proceedings for a relevant type of offence please contact the Permits Officer, Kakadu National Park, for further advice. These matters do not exclude a licence being issued but can be taken into account.

Signed

Date

 / /20

In the presence of

(witness's
name)

The witness must be at least 18 years of age.

¹ Part VIIC of the *Crimes Act 1914* includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them.

The applicant is taken to have been convicted of an offence if, within five years before the application is made, the applicant:

- a) has been charged with, and found guilty of, the offence but discharged without conviction; or
- b) has not been found guilty of the offence, but a court has taken the offence into account in passing sentence on the applicant for another offence.

² Section 6 of the *Crimes Act 1914* deals with being an accessory after the fact.

³ Sections 11.1, 11.4 and 11.5 of the *Criminal Code* deal with attempts to commit offences, inciting to or urging the commission of offences by other people and conspiracy to commit offences.



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Witness Signed

Date

/ /20

Send this application to:

Kakadu National Park

Tourism & Visitor Services Section

✉ kakadu.permits@environment.gov.au

✉ PO Box 71, Jabiru NT 0886

☎ + 61 8 8938 1170 Fax: + 61 8 8938 1117

Note: please allow a minimum of 4 weeks for licences to be processed. Please contact the Tourism Services Officer on 08 8938 1170 with questions.

Providing your application is approved, how would you prefer to receive the licence documentation?

Mail: ☐ Email: ☐

OFFICIAL USE ONLY

Licence Number			
ABN verification	<input type="checkbox"/>	Other evidence attached?	<input type="checkbox"/>
Tracking sheet updated	<input type="checkbox"/>	Compliance check	<input type="checkbox"/>
CTO database updated	<input type="checkbox"/>	Letter generated	<input type="checkbox"/>
Evidence of accreditation attached?	<input type="checkbox"/>	Licence generated	<input type="checkbox"/>

Comments: