

Uluru–Kata Tjuta National Park

Guidelines for commercial image capture, use and commercial sound recording

Uluru–Kata Tjuta National Park is a World Heritage Area renowned for its exceptional natural environment and the living culture of its traditional Aboriginal owners, known as *Anangu*. *Anangu* and Parks Australia welcome filmmakers, photographers and painters to the Park. We ask you to work with us to help respect *Anangu* culture and protect this unique living cultural landscape and the fragile desert ecosystems for future generations.

Anangu own the Park and lease it to the Director of National Parks, who manages it through Parks Australia. The lease requires Parks Australia to take steps to safeguard *Anangu* traditions.

These guidelines have been developed to help you carry out your work. They have been drawn up in collaboration with traditional owners and representatives from the tourism, film and photographic industries. The guidelines are a compromise between protection of *Anangu* culture and the requirements of visitors. They have been agreed to in the spirit of joint management and are approved by the Park's Board of Management

The guidelines will help you have a better understanding of the Park's World Heritage values.

The Park's Media Office is available to answer any questions you may have. You will find useful information at the Parks website (<http://www.environment.gov.au/parks/uluru/index.html>) and at Attachment A, which includes an explanation of many of the terms we use.



Australian Government
Director of National Parks



DO YOU NEED A PERMIT?

Yes

- 1.1 If you are a company, institution, group or individual wanting to film, photograph, paint, draw or record sound in the Park for commercial purposes (for example, as part of a trade or a business).
- 1.2 If you want to capture aerial images of the Park for commercial purposes from aircraft flying over the Park.
- 1.3 If you want to use a Park image for a commercial purpose (for example you may be a picture editor, a commercial film library or tour operator).
- 1.4 If you had a permit to use an image and you now want to use it in a different way (for example you may want to use a published news photograph for advertising purposes).

No

- 1.5 If you are an amateur photographer or tourist taking film or video for personal interest, so long as the images you capture are not used for commercial purposes.
- 1.6 If you are a news or current affairs photographer, filmmaker, or sound-recordist, covering news of the day. However, in this instance, you must liaise with the Park's Media Office before you start work, undertake a media briefing and observe the specific guidelines below about how to capture and use images appropriately.

WHY ARE PERMITS NEEDED?

Protecting Cultural Values

- 2.1 Uluru–Kata Tjuta National Park's cultural significance comes from *Anangu* traditions dating back tens of thousands of years. The foundation of *Anangu* culture is *Tjukurpa*, which is the source of stories, ceremonies, landscapes, plants and animals, art and rules for living (<http://www.environment.gov.au/parks/uluru/culture-history/index.html>). The international significance of this living culture was recognised in 1994 when the Park became one of the first World Heritage 'cultural landscapes'.

Permits help us to protect *Anangu* culture. Under *Tjukurpa*, certain sites, ritual objects, designs and ceremonies are restricted to people who may 'properly' view them. Some stories and sites are restricted to initiated men, others to women. Some stories may be spoken, but not written or filmed. *Anangu* believe that their culture is degraded if images of sacred sites are captured or displayed, or if the Park is used to advertise products and services that do not promote the natural and cultural values of the Park, and people's awareness, understanding and enjoyment of them.

- 2.2 The capture and use of pictures and names of *Anangu* is also sensitive. Like most people, *Anangu* do not like being filmed or photographed unless they have given their permission. Also, under *Tjukurpa*, *Anangu* honour their dead by not speaking their names or looking at their pictures for some considerable time. For this reason we ask that you seek permission each time you wish to publish pictures of *Anangu*.

Protecting Natural Values


2.3 Uluru–Kata Tjuta National Park contains outstanding examples of rare desert fauna and flora, whose fragile habitats are protected. The natural values of the Park were recognised in 1987 when the Park was first listed as a World Heritage area. Under Joint Management with the traditional owners, Parks Australia combines scientific and traditional knowledge to protect the sensitive ecology of the area, which is home to eight rare or threatened plant species of particular scientific interest and three rare or threatened animal species.

Permits help us protect the Park's natural values by avoiding damage to ecologically sensitive areas. Permits also help to minimise interference with the use and enjoyment of the Park by other visitors.

- 2.4 For large-scale projects (for example those involving heavy equipment) you may be asked to prepare an environmental impact assessment.
- 2.5 Permit conditions provide filmmakers, photographers and image users with a clear framework that helps ensure that your activities are culturally appropriate and that you abide by the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act) and Environment Protection and Biodiversity Conservation Regulations 2000.

WORKING IN THE PARK

Uluru has great spiritual significance to *Anangu*. There are many sensitive sites associated with Uluru itself. We ask that you respect these places and their significance to *Anangu* by following these guidelines. **Map 1 – Uluru** shows the parts of Uluru and specific sites that should not be filmed, photographed or painted, and locations from which images should not be captured. Most sites are clearly signposted, although some are not as they cannot be specifically identified or publicly discussed. If you are unsure whether you have inadvertently captured an image of a sensitive site, you can ask us to look at any images you are planning to use.

- 3.1 Please do not capture images of sensitive sites as indicated by  on **Map 1 – Uluru**.
- 3.2 Please be careful when capturing images from the sunset viewing area as you may be capturing images of sensitive sites.
- 3.3 Please advise the Park Media Office if you want to capture images of the north-east face of Uluru as it is not generally allowed. This is because there are many sacred sites across this face, some of which we cannot show on Map 1 for cultural reasons. Where approval is given, sacred sites must be obscured (for example by shadow, a bush or sand dune) or not in clear view. We will advise you on locations and times of day to help you get the shots you need whilst respecting *Anangu* culture. All images of the north-east face must be submitted for approval prior to use (see 4.3–4.9).
- 3.4 *Anangu* prefer that people don't climb Uluru and do not want pictures promoting the climb. Please do not capture images which focus on the climb such as people

climbing, the base of the climb, the chain on the climb or views from the climb, including images from the top of Uluru.

- 3.5 Please do not capture images of rock art unless given specific approval by Parks Australia. Approval will require consultation with *Anangu* and accompaniment by *Anangu* representatives when carrying out your work.

Kata Tjuta is a sacred area. Under *Anangu* law details of the stories cannot be revealed and access to some areas is restricted. We ask that you respect these sacred places by following these guidelines. **Map 2 – Kata Tjuta** shows the parts of Kata Tjuta that may not be filmed, photographed or painted.

- 3.6 For cultural reasons, no filming, photography or artwork is allowed along the Valley of the Winds walking track.
- 3.7 You may carry out panoramic filming, photography or artwork, in other publicly accessible areas in and around Kata Tjuta but images must include three complete domes, never focusing on single domes. This is to make sure you do not focus on sacred detail (see photographic insert example in Map 2).
- 3.8 You may film, paint, draw or photograph within Walpa Gorge provided both sides of the Gorge are in frame to avoid revealing sacred places (see photographic insert example in Map 2).

Aerial Filming and Photography

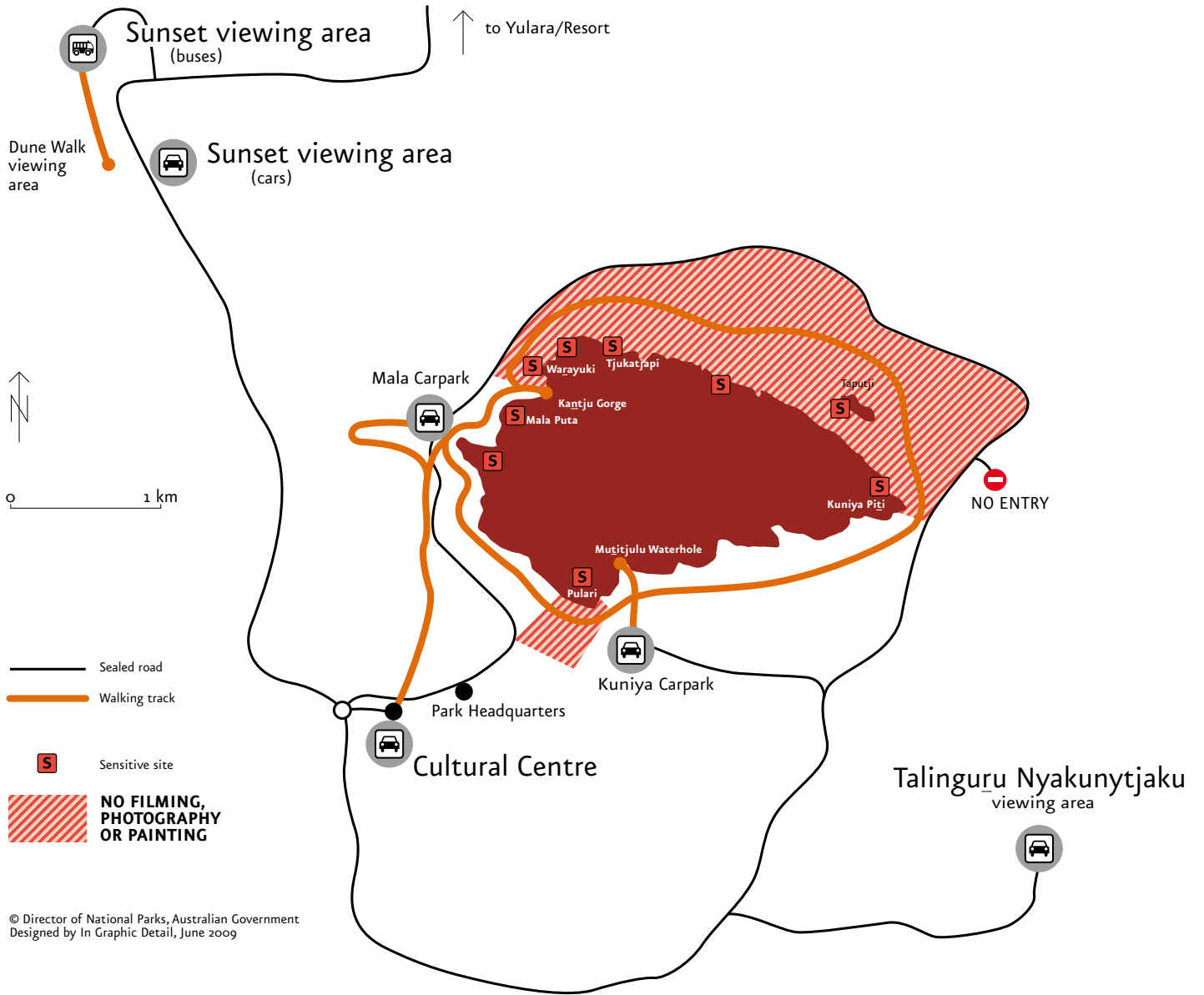
Map 3 – Aerial Flight Path shows flight paths for commercial image capture.

- 3.9 We ask that you show the same respect for the Park's values as we have described on land, but please note in particular that only panoramic images should be captured and should not include:
- Sensitive sites shown on Map 1
 - The Muṯitjulu Community
 - The north-east face of Uluru
 - The southern side of Kata Tjuta.
- 3.10 A Park Media Officer must be present during all aerial filming operations.
- 3.11 Commercial flights over the Park for sightseeing tours and image capture must follow the requirements of the 'Fly Friendly Agreement'. This sets out flight paths, and minimum flying heights of 4,000 feet above sea level for fixed wing aircraft and 3,500 feet above sea level for helicopters.

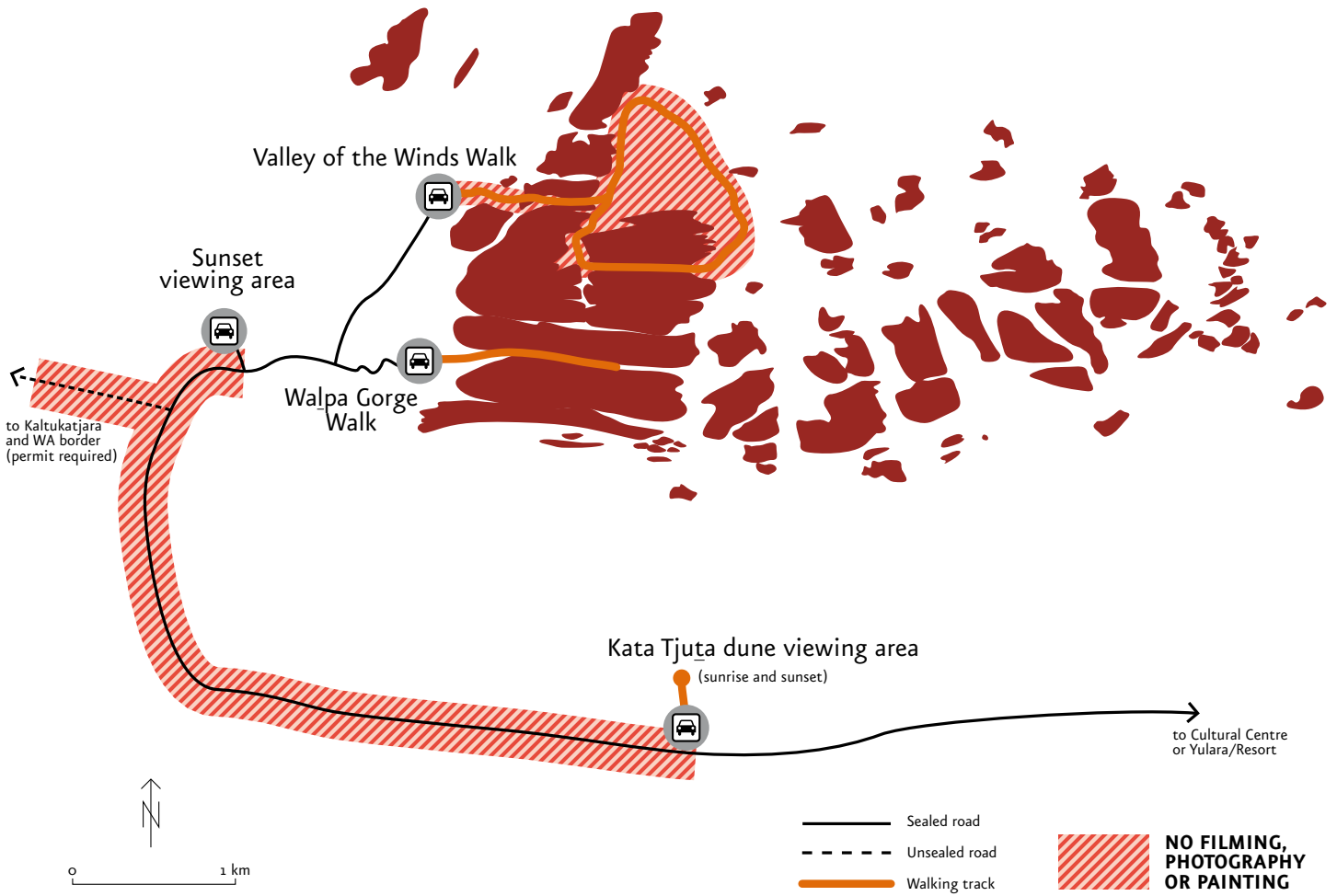
Cultural Centre

- 3.12 You may film, photograph or paint outside the Park Cultural Centre, but not inside the complex. This is to respect *Anangu* working at the Centre and to protect their Cultural and Intellectual Property Rights.

MAP 1 – ULURU



MAP 2 – KATA TJUTA



Karen Schwens

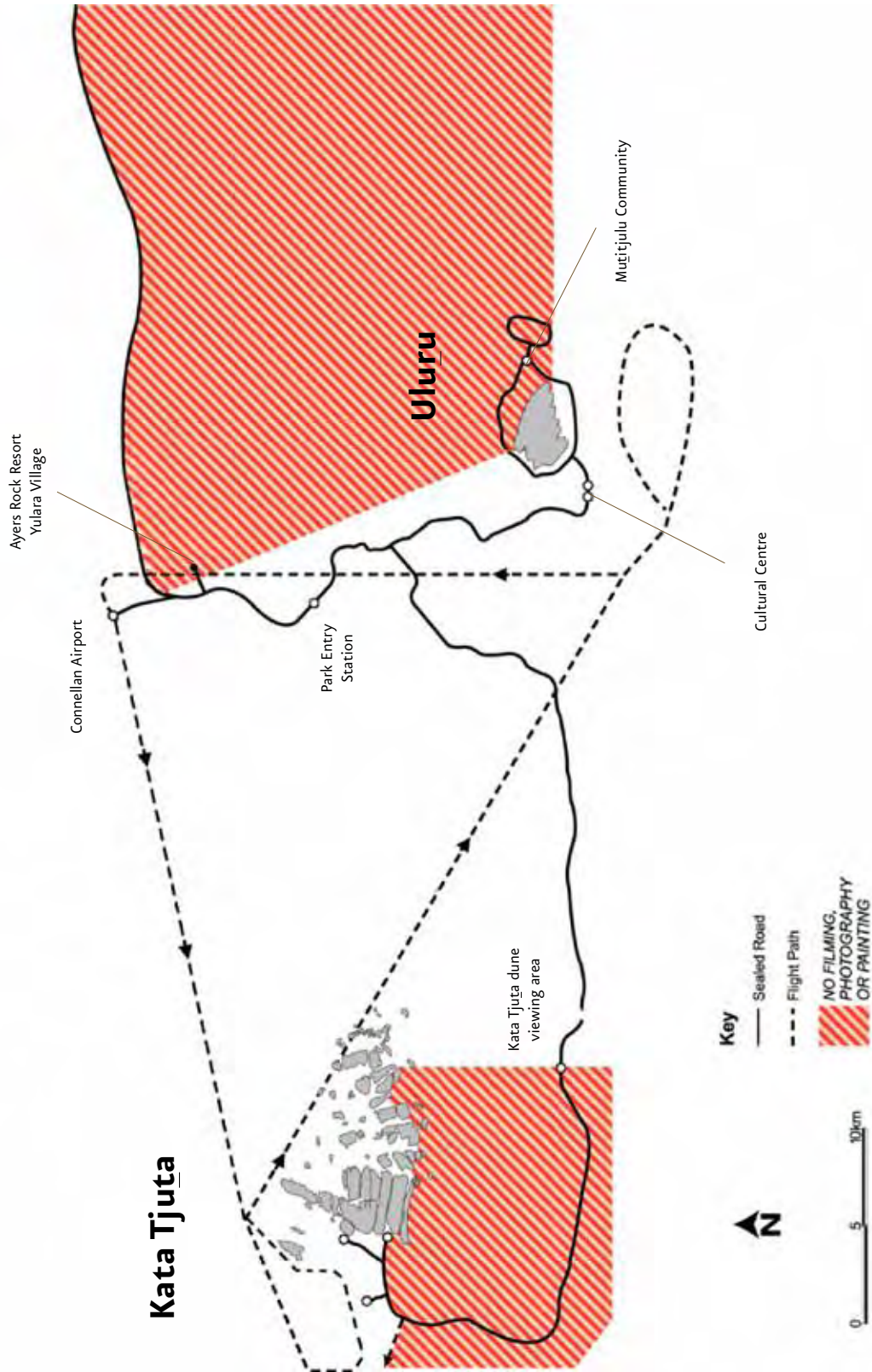
Images of Kata Tjuta must include three complete domes, never focusing on single domes.



© Andrew Langhorne

Both sides of Walpa Gorge must be in frame to avoid revealing sacred places.

MAP 3 – AERIAL FLIGHT PATH



Other Park Regulations

- 3.13 Filming, photography and artwork must be carried out in accordance with other requirements of the EPBC Regulations that govern activities in the Park. For example you must stay on public roads and designated walking tracks unless authorised by a permit to help ensure protection of the Park's fragile environment.

Mutitjulu Community and Anangu Involvement

- 3.14 *Anangu* live within the Park in the Mutitjulu Community. In order to respect their privacy, you need a Community permit to enter Mutitjulu.
- 3.15 Should you wish to have *Anangu* involvement in your project, please call the Park Media Office.

Media Briefings, Assistance and Accompaniment

- 3.16 Film crews, photographers, artists and sound recordists working in the Park need to view the Media Briefing DVD before commencing any commercial activity in the Park. Applicants will be responsible for arranging for film crews/photographers/sound recordists/artists to view the Media Briefing DVD prior to, or on arrival at the Park. Viewing the DVD at the Park is ordinarily within normal office hours, 9 am to 4 pm Monday to Friday, and will be negotiated prior to arrival at the Park.
- 3.17 Applicants may also request a copy of the DVD from Parks Media staff to view at their leisure prior to commencing their activity. Alternatively, the Media Briefing DVD is available from the Northern Territory Tourist Commission, Tourism Australia or from the Public Relations Office at Voyages Resort, Yulara.
- 3.18 The Park Media Officer is ordinarily available 9 am to 4 pm Monday – Friday, to help you organise your locations, to be negotiated prior to arrival at the Park. This will help protect the Park's sensitive ecology, and to ensure that you do not enter areas where access is restricted for cultural reasons.
- 3.19 A Park Media Officer must accompany film crews whilst working in the Park.
- 3.20 Please consult the Park's Media Office for help in arranging *Anangu* involvement. In certain circumstances Aboriginal custodians may be required to oversee filming, photography or sound recording. *Anangu* will negotiate a separate fee for their time.

USING IMAGES AND FOOTAGE

Promoting Correct Place Names

- 4.1 It is important for *Anangu* that you use the right names – for example 'Uluru' rather than Ayers Rock, and 'Kata Tjuta' rather than the Olgas.
- 4.2 For captions we suggest:
- Uluru–Kata Tjuta National Park - A World Heritage Living Cultural Landscape
 - Uluru- Kata Tjuta National Park – A World Heritage Area
 - Uluru–Kata Tjuta National Park – A Living Cultural Landscape

Making Sure the Images You Use are Appropriate

- 4.3 All pictures of the northeast face of Uluru, of Anangu, and of rock art must be submitted for approval prior to publication and use in any context, whether it is for advertising, promotion or other purposes such as educational use in books or magazines. No associated text needs to be supplied.
- 4.4 Images that show sensitive sites and people who have passed away are offensive to Anangu and are not considered appropriate for commercial use. Permission should be sought each time pictures of Anangu are to be published.
- 4.5 If you are unsure, you can ask us to look at any images you are planning to use.

Modifying Images

- 4.6 Images must not be digitally manipulated to insert extraneous objects to conceal a sensitive site. For example, cutting and pasting an Aboriginal person not from here onto an image is not acceptable.
- 4.7 Please consult us before resizing or cropping images you would like to use commercially, as you may then be focusing on a sensitive site.
- 4.8 Features of Uluru–Kata Tjuta National Park should not be changed or retouched to blur or remove sensitive sites; they must be represented true to life.
- 4.9 Enhancement of natural colours is acceptable.

Advertising and Promotion

- 4.10 To protect the Park's World Heritage values, the use of images for advertising and promotion is generally permitted when used in a way that promotes the natural and cultural values of the Park, and people's awareness, understanding and enjoyment of them.
- 4.11 No permits will be issued for advertising and promotion of motor vehicles, fashion, food, drink, banking and investment, insurance, cleaning products, sporting goods/activities, medical/health products, religion and religious events, camping equipment, rural and urban industries, extreme sports, racing and other similar products or services
- 4.12 Examples of acceptable image uses are
- The promotion of commercial tour operations conducted within the Park, of hire vehicles which are regularly used by visitors in the Park and of conferences at the Ayers Rock Resort because they bring visitors to the Park.
 - Commercial use of real life images of the Park captured for their natural beauty and for such purposes as public display, post-cards, calendars etc.
 - Editorial use (newspaper and travel articles, magazines, books) about or with a connection to the Park.

Review of Images and Footage by the Park Media Office Prior to Use

- 4.13 All images that are being used for advertising and promotional purposes must be submitted to the Park for consideration prior to their publication and use. No associated text or other material needs to be submitted.

- 4.14 All images of the northeast face of Uluru, of *Anangu*, and of rock art must be submitted for approval prior to publication and use.
- 4.15 No other images need to be submitted before publication and use.

Image Use for Approved Purposes

- 4.16 Your permit will state the purposes for which captured images can be used. You do not need to apply for another permit to use approved images if they are being used again for the same purpose if your permit is still current. For example, if your image has been approved for use on a brochure about your tour company, you will not need to reapply for a permit when you next print the brochure, unless your permit has expired.
- 4.17 Image Use Permits are issued for three years.
- 4.18 You should not allow an image or footage to be used by another person for a commercial purpose different from what is authorised by your permit. That person will be required to apply for his or her own permit.

TIMEFRAMES, FEES AND PERMIT CONDITIONS

Timeframes

- 5.1 Please allow sufficient time for your application to be processed: 14 days for photography and at least 28 days for filming. We try and turn around straightforward photography and image use applications within 14 days, but for more complex applications involving *Anangu* cultural information and/or participation, we may need up to 56 days or even longer (in exceptional circumstances).
- 5.2 It is in your interest to apply as far in advance as possible, particularly if you are a filmmaker as you will need to be accompanied by Park Media Officer or *Anangu*. We will make every effort to accommodate you, but the earlier you consult with us the better.
- 5.3 The number of film crews allowed to film in the Park will generally be limited to three per month with one to two days allocation per film crew.
- 5.4 Overseas film-makers carrying out filming activities for commercial purposes while in Australia are required to under the *Migration Act 1958* to obtain the appropriate Temporary Residence Visa: a Media & Film Staff (subclass 423) or an Entertainment Visa (subclass 420). For further information on these visas and how to apply visit www.immi.gov.au (or contact the Sydney Entertainment Processing Centre to ascertain which visa is appropriate – entertainment.visas@immi.gov.au).

Fees

- 5.5 Filming – \$250 per day or part thereof is payable to ANP Fund. This administration fee is required in advance with the application and is non-refundable.
- 5.6 Still photography, artwork and sound recording - \$20 per day or part thereof is payable to ANP Fund. This administration fee is required in advance with the application and is non-refundable.

- 5.7 In certain circumstances Aboriginal custodians may be required to oversee filming, photography or sound recording. *Anangu* will negotiate a separate fee for their time.

Permit Conditions

- 5.8 Your permit to capture or use images will be subject to conditions.
- 5.10 Your permit will require you to comply with these guidelines.
- 5.11 You may use the images only for the purpose stated in your permit.
- 5.12 You will need to carry your permit and permit conditions with you while you are in the Park and you may be asked to produce them by the Park Manager or a Park Ranger.
- 5.13 A breach of a permit condition will lead to compliance action by Parks Australia.

For further information:

<http://www.environment.gov.au/parks/permits/uluru-media.html>

Uluru–Kata Tjuta National Park
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PO Box 119 Yulara NT 0872
Phone (08) 8956 1113
Fax (08) 8956 2360
Email uluru.media@environment.gov.au

ATTACHMENT A

Advertising: to promote a business or product.

Anangu: word meaning ‘people’ used by *Pitjantjatjara/Yankunytjatjara* speakers to identify themselves and their people.

Artwork: any type of artistic design, which incorporates any features of the Park.

Capture: for an image, means recording the image by artistic representation, or on film, videotape or electronic medium.

Commercial purposes: carrying out an activity with intent of a reward, i.e. money, merchandise, or services, or the possibility of future reward (if done for financial reward or commercial gain, under contract or consignment for another person, and/or with a view to being sold or hired out, or for promotion/advertising of a product or service).

Cultural values: *Anangu* cultural values are diverse and complex and not easily understood by Western systems of classification. For *Anangu*, the Park is part of a living landscape. Features like Uluru, vegetation, soils and animals are all vested with cultural meaning in ways that transcend Western separation of ‘nature’ and ‘culture’, people and landscapes and notions of past, present and future. Cultural meaning and values are expressed through language, song, story, art and an array of cultural beliefs and practices that are governed by *Tjukurpa*. The Park was World Heritage listed in 1994 as an outstanding example of traditional human land use and being directly associated with living traditions and beliefs of outstanding universal significance.

Editorial: newspaper, radio, television, travel writing and general information, but not advertorials, advertising or promotion of other goods and services.

Educational: includes for the purposes of research.

Environmental Impact Assessment: A process for evaluating the likely impacts on the environment of a proposed activity.

Filming: includes any type of cine and video recording (video, digital).

‘Fly Friendly Agreement’: The Uluru–Kata Tjuta National Park Fly Friendly Agreement was implemented in early 1997, following agreement between Parks Australia, the Mutitjulu Community, the Ayers Rock Resort Company, Connellan (Ayers Rock) Airport management and local scenic flight operators. The agreement is detailed in the *En Route Supplement Australia 2005 MAR 2005* (ERSA) and includes provisions about flight paths, heights and avoiding particular areas. These provisions are to make sure visitors on the ground are not unduly disturbed by aircraft noise and to keep aircraft away from living areas and sensitive sites. Under the Fly Friendly Agreement, aircraft are not permitted to fly within 4 km of the Mutitjulu Community, 2 km from Uluru, 1 km from places of high tourist visitation such as picnic and viewing areas, over Kata Tjuta (the Olgas) or within 1 km of the picnic area west of Kata Tjuta. The Fly Friendly Agreement was incorporated (clause 9.12) into the Ayers Rock Resort Operator Agreement which all tour operators, including scenic flight operators who operate out of the Connellan Airport, hold with Ayers Rock Resort Management.

Kata Tjuta: previously known as ‘the Olgas’.

Mutitjulu Community: *Anangu* who live within the Park reside at the Mutitjulu Community, a kilometre or so from Uluru. Access to the Mutitjulu Community is by CLC permit only. Permits are assessed and issued by the Mutitjulu Council.

Natural values: tangible values including the physical landscape of the Park encompassing biodiversity, geomorphology and ecosystems, and their cycles. The Park was World Heritage listed in 1987 as an example of on going geological, biological and ecological processes and an example of exceptional natural beauty and combination of natural and cultural elements.

News of the day: the reporting by newspaper, television or radio of unanticipated events of the day that happen in the Park from time to time, such as fires and rescue events. It does not include general items about the Park itself or planned events.

Painting: includes any type of artistic design that incorporates any feature found within the Park.

Photography: includes any type of still photography.

Promote: to contribute to the progress, growth or development of; to encourage.

Sacred sites: a site that is sacred to *Anangu* or is otherwise of significance to *Anangu* according to *Anangu* tradition. *Anangu* law may restrict detailed knowledge of sacred sites to particular people who are responsible for particular sites. Knowledge of sacred sites may not be public knowledge.

Sensitive sites: the sites shown on Map 1 and other sacred sites that can’t be shown or are not publicly known for cultural reasons.

Sound recording: the recording of sounds, including human voices, music, animal calls, birdsong and any other sounds whether naturally occurring or contrived.

Tjukurpa: *Anangu* law encompassing knowledge, religion, morals and history.

Uluru: between 1958 and 1985 known as ‘Ayers Rock’.

World Heritage: refers to those sites of ‘outstanding universal value’ that are inscribed on the World Heritage List under the Convention Concerning the Protection of the World Cultural and Natural Heritage (the World Heritage Convention).

World Heritage values: means the outstanding universal cultural and/or natural values of a World Heritage site, and in relation to Uluru–Kata Tjuta National Park refers to its values:

- as an outstanding example of traditional human land use;
- being directly associated with living traditions and beliefs of outstanding universal significance.
- as an example of on-going geological processes; and
- as an example of exceptional natural beauty and combination of natural and cultural elements.