STARTING AN ECO OR NATURE-BASED TOURISM BUSINESS IN WESTERN AUSTRALIA

Establish Your Business
Tourism Accreditation

Accreditation is voluntary. However, being accredited is a requirement for businesses that wish to operate in National Parks or other areas managed by the Parks and Wildlife Service in the Department of Biodiversity, Conservation and Attractions.

Accreditation relevant to eco and nature-based tourism businesses is available through a number of organisations, including:
- Tourism Council Western Australia (www.tourismcouncilwa.com.au)
  - Australian Tourism Accreditation Program (ATAP)
  - China Ready Accreditation
  - EcoPlus Accreditation
  - Visitor Centre Accreditation
  - Marine Tourism Accreditation
- Ecotourism Australia (www.ecotourism.org.au)
  - ECO Certified - Nature Tourism
  - ECO Certified - Eco-tourism
  - ECO Certified - Advanced Eco-tourism
- National Accommodation, Recreation and Tourism Accreditation Inc. (NARTA) (www.narta.org.au)

Accreditation is a mark of quality assurance.

In order to become accredited businesses need to provide various information, including (but not limited to):
- Business details
- Insurance details
- Business plan
- Marketing plan
- Business operating systems
- Risk management
- Environmental management.

The Department of Biodiversity, Conservation and Attractions accepts the following minimum accreditation levels for Type 1 Class Commercial Operations Licences (See National Parks page below). Higher level accreditation can enable a longer licence term.

<table>
<thead>
<tr>
<th>Accreditation</th>
<th>Licence Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATAP</td>
<td>1 year</td>
</tr>
<tr>
<td>ATAP</td>
<td>3 years</td>
</tr>
<tr>
<td>ATAP Ecoplus</td>
<td>5 years</td>
</tr>
<tr>
<td>ATAP Ecoplus</td>
<td>7 years</td>
</tr>
<tr>
<td>ATAP Ecoplus</td>
<td>10 years</td>
</tr>
<tr>
<td>ECO Certified - Nature Tourism</td>
<td>NARTA</td>
</tr>
<tr>
<td>ECO Certified - Nature Tourism</td>
<td>NARTA</td>
</tr>
<tr>
<td>ECO Certified - Eco-tourism</td>
<td>NARTA</td>
</tr>
<tr>
<td>ECO Certified - Advanced Eco-tourism</td>
<td>-</td>
</tr>
<tr>
<td>ECO Certified - Nature Tourism</td>
<td>NARTA</td>
</tr>
<tr>
<td>ECO Certified - Eco-tourism</td>
<td>NARTA</td>
</tr>
<tr>
<td>ECO Certified - Advanced Eco-tourism</td>
<td>-</td>
</tr>
</tbody>
</table>

As at July 2017
Operating on Crown Land (including Marine Waters)

Helpful Hints

The National Native Title Tribunal is a good source of information on Native Title - www.nntt.gov.au

Activities that may impact on an Aboriginal heritage site or protected area may require an approval under the Aboriginal Heritage Act 1972. For further information contact the Aboriginal Heritage Directorate in the Department of Planning, Lands and Heritage. Early engagement with the Aboriginal Community is advantageous.

Other environmental and conservation approvals may be required in relation to certain activities. For example, a permit to clear land and/or remove native vegetation (administered by the Department of Water and Environmental Regulation).

Landgate: www.landgate.wa.gov.au; phone (08) 9273 7373. If Landgate does not have a record of the land, contact the Department of Planning, Lands and Heritage.

The process for securing a s.79 lease for eco or nature-based tourism on Crown land would be similar to that outlined for the Land Tenure Pathway for Irrigated Agriculture. The information and detailed flowchart developed for this could be a useful resource. Visit www.wa.gov.au and search for “LTPIA Application Guidelines”.

Entry Permits are required for entry onto or through those Aboriginal Lands Trust reserves that are subject to Part III of the Aboriginal Affairs Planning Authority Act 1972. Contact the Department of Planning, Lands and Heritage for further information.

As at July 2017

Note: Building and development of accommodation and infrastructure was excluded from the scope of this project. If your intended business incorporates a building or development component there may be additional regulatory requirements.
Operating in National & Marine Parks

Do you want to operate in a national park?

T Class Licence
- Applicable when environmental and visitor management objectives can be achieved through appropriate licence conditions, part of which are in the Commercial Operator Handbooks.
- Available for periods of 2 months, 1, 3, 5, 7 and 10 years.
- Licence applications containing all necessary information are usually processed in seven to ten working days.

Complete Application Form(s):
- Application for or renewal of commercial operations licence – T class terrestrial reserves only; and/or
- Application for or renewal of commercial operations licence – T class marine reserves only.
- Provide evidence of:
  - Public Liability Insurance
  - Tourism Accreditation (as required)
  - Commercial Operator Training
  - Other information, as requested by the Department of Biodiversity, Conservation and Attractions.

E Class Licence
- Required when there are environmental, management, safety or access reasons why licence numbers must be limited.
- Usually allocated through publicly advertised, competitive Expression of Interest process.
- Licences can be granted for periods of up to 10 years and may be renewed for up to a further five.

Existing E Class Licence.
- Submit an Expression of Interest.
- Licences are awarded through a competitive process. Licence conditions for successful applicants are based on commitments made in their Expression of Interest.

New operation that is deemed unsuitable for a T Class licence.
- Submit an Unsolicited Bid to the Parks and Wildlife Service.

Fauna Interaction Licence
Required for the purpose of intentional, advertised wildlife interaction involving close approaches to marine mammals (whales, dolphins, dugongs, seals and sea lions) and reptiles (marine turtles).

Submit:
- Completed application form
- Evidence of public liability insurance
- Description of the activities to be undertaken
- Evidence of appropriate insurance for scuba diving (if applicable).

Commonwealth Marine Reserves
- Apply for Commercial Tourism Activity Approval from Parks Australia.

Note: Building and development of accommodation and infrastructure was excluded from the scope of this project. If your intended business incorporates a building or development component there will be additional regulatory requirements.
Do you need to transport passengers?

Drivers
- Contact the Department of Transport.
- Ensure drivers have a valid WA Driver’s Licence.
- Ensure drivers have an F extension on their driver’s licence (allows them to drive a vehicle carrying passengers for hire or reward).
- Ensure your vehicles are appropriately licensed.
- Apply for an Omnibus – Chartered Vehicles (CV) Licence (needed for any passenger vehicle used for hire and reward that is not a taxi or Regular Transport Passenger vehicle).
- Ensure your vehicles are licensed with the correct insurance class.
- Complete annual vehicle inspection.

Vehicles
- Contact the Department of Transport.
- Register your vessel on the Australian General Shipping register (optional for vessels less than 24m long).
- Apply for a Certificate of Operation (defines how and where an operation is undertaken, what vessels it can use and mooring requirements).
- Apply for a Certificate of Survey – Initial survey (for newly registered vessels) (Shows that a vessel meets the standards for construction stability and safety equipment) (Periodic surveys are required to ensure continued compliance).
- Apply for a Certificate of Competency for all crew (ensures crew are appropriately trained and qualified).

Parking
- Contact the relevant Local Governments.
- Do you need a parking permit for anywhere you plan to visit?

Vessels
- Contact the Department of Transport or Australian Maritime Safety Authority.
- Most moorings in Western Australia are managed and licensed by the Department of Transport. In Mooring Control Areas, moorings must be registered. In other areas, a Commercial Mooring Site Licence is required. Authority for businesses to install, own and/or use moorings within marine parks and reserves is managed by the Parks and Wildlife Service in the Department of Biodiversity Conservation and Attractions through the businesses’ commercial operations licence.
- Make permanent mooring arrangements for your vessel.
- Arrange access to any temporary mooring facilities needed during operations.

Crew
- Contact the Department of Transport or Australian Maritime Safety Authority.
- Apply for a Certificate of Competency for all crew (ensures crew are appropriately trained and qualified).

Moorings
- Contact the Department of Transport, Parks and Wildlife Service or relevant Local Government.
- Arrange access to any temporary mooring facilities needed during operations.
FISHPACKAGING

**Fishing**
- Will your tour include fishing?
  - Fishing Tour Operator’s Licence
    - Charter boat based fishing. Fish may be caught and taken away after the tour.
    - Fishing in conjunction with other eco-type activities such as snorkelling and scuba diving. Fish may only be caught by hand line and either eaten as a meal during the course of the tour or released.
  - Restricted Fishing Tour Operator’s Licence
    - Contact the Fisheries Division of the Department of Primary Industries and Regional Development.

**Food**
- Do you want to provide food?
  - Serving food that is pre-packaged and does not require temperature control (i.e. shelf stable).
  - Use residential kitchen may be acceptable providing there is compliance with the Food Act. Some exemptions are available for low risk food businesses.
  - Preparing food for your clients.
  - Contact relevant Local Government to determine whether planning approval is required.
  - Register with the relevant Local Government. Fee may be payable, determined by the Local Government. Once registration is approved, it remains in place until cancelled.

**Alcohol**
- Do you want to provide alcohol?
  - As part of a tour
    - Tourism operators may serve up to five complimentary standard drinks per person as part of a tour. Other conditions apply.
  - For specific events
    - To serve drinks for specific events.
    - Contact the Racing, Gaming and Liquor Division of the Department of Local Government, Sport and Cultural Industries. Apply for an Occasional Liquor Licence.
  - Ongoing Sales
    - To sell liquor on an ongoing basis.
    - Apply for a Liquor Licence and Licensed Premises.

**Helpful Hints**
- At present no new fishing tour operator’s licences are being issued. However, licences are transferable and can be bought and sold, subject to certain conditions.
- It is not necessary to notify local governments where you stop to serve food as long as it is only eaten by tour customers.
- Consider doing Food Safety Training. If fish etc. are caught on your tour and cooked with the assistance of the tour operator for immediate consumption, this is not likely to be subject to the Food Act 2008.
- Bush tucker regulations vary depending on the sort of bush tucker and would need to be considered on a case by case basis.
- The Racing, Gaming and Liquor Division of the Department of Local Government, Sport and Cultural Industries holds free monthly seminars on the liquor licensing process for applicants and the community. For more information phone (08) 9425 1888.
Codes of Practice, Standards or Guidelines exist for many activities, including (but not limited to) those listed below. Follow these to ensure you are operating at best practice.

- Abseiling
- Archery
- Artificial climbing
- Bush walking
- Canoeing, kayaking & sea kayaking
- Canyoning
- Caving
- Challenge ropes
- Commercial driving (fatigue management)
- Ferry and charter boats
- Food preparation and provision
- Four-wheel driving
- Horse trail riding
- Mountain biking
- Recreational angling
- River rafting
- Rock climbing
- Scuba diving
- Snorkelling
- Surfing
- Trail bike riding
- Whale and dolphin watching
- Wildlife interaction (including swimming)

Note: Building and development of accommodation and infrastructure was excluded from the scope of this project. If your intended business incorporates a building or development component there will be additional regulatory requirements.

Helpful Hints

These are generally available from relevant industry associations. Adventure Activity Standards are available from www.outdoorswa.org.au

YOU ARE READY TO START!

As at July 2017