

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

Establish Your Business Tourism Accreditation



Establish Business Accreditation



Crown Land



National Parks



Transport



Fishing Food Alcohol



Codes of Practice Checklist

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.

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

ESTABLISH YOUR BUSINESS

There are many steps involved in establishing a business. You will need to consider factors including (but not limited to):

- Business structure and registrations (including business and tax).
- Licensing requirements.
- Obligations when selling goods or services.
- Obligations to staff (if applicable).
- Occupational health and safety obligations.

Visit the *Small Business Development Corporation* for free advice and comprehensive information about establishing and running a small business in Western Australia.

Contact *Wageline* for advice on which industrial relations framework applies to your business.

Contact *Worksafe* for advice on Occupational Health and Safety obligations.

Do you want 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 is a mark of **quality assurance**.

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 - Ecotourism
 - ECO Certified - Advanced Ecotourism
- **National Accommodation, Recreation and Tourism Accreditation Inc. (NARTA)** (www.narta.org.au)

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 T Class Commercial Operations Licences (See National Parks page below). Higher level accreditation can enable a longer licence term.

1 year	ATAP	ECO Certified - Nature Tourism	NARTA
3 years	ATAP	ECO Certified - Nature Tourism	NARTA
5 years	ATAP EcoPlus	ECO Certified - Nature Tourism	NARTA
7 years	ATAP EcoPlus	ECO Certified - Ecotourism	-
10 years	ATAP EcoPlus	ECO Certified - Advanced Ecotourism	-



Helpful Hints

1 Aboriginal businesses may find it helpful to contact the Western Australian Indigenous Tourism Operators Council: www.waitoc.com

2 Use the Small Business Development Corporation's Business Licence Finder to determine which licences and permits you need for your business. www.licence.smallbusiness.wa.gov.au

3 Advice on employment obligations is available from:
Wageline - phone 1300 655 266 (State administered industrial relations framework)
Fair Work Ombudsman - phone 13 13 94; www.fairwork.gov.au (Commonwealth industrial relations framework)

4 Worksafe - phone 1300 307 877; safety@dmirs.wa.gov.au; www.worksafe.wa.gov.au

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

Operating on Crown Land (including Marine Waters)

Establish Business Accreditation

Crown Land

National Parks

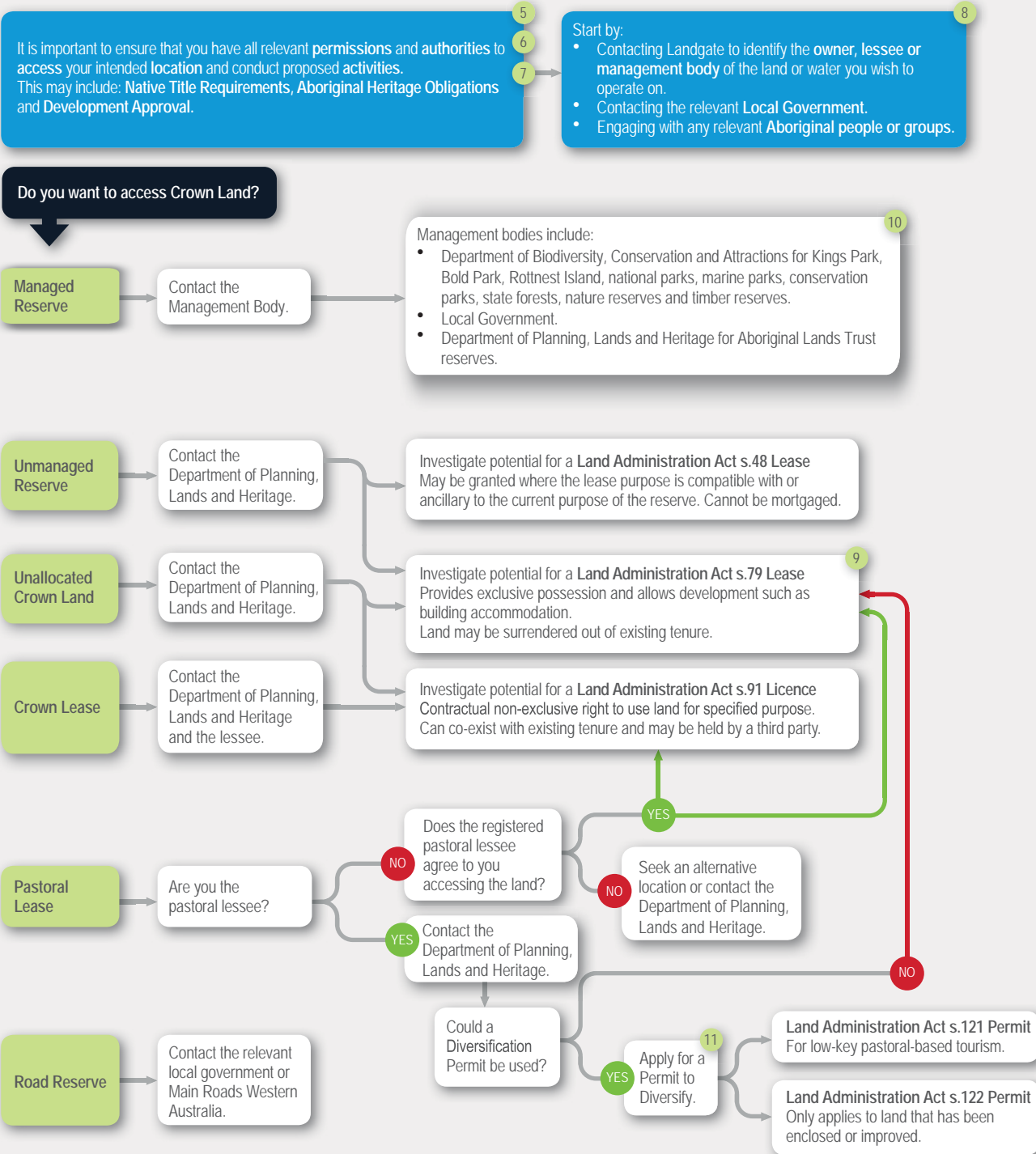
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OPERATING ON CROWN LAND (INCLUDING MARINE WATERS)



Helpful Hints

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

6 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.

7 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).

8 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.







9 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".

10 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.

11 Only Pastoral Lessees can apply for a Permit to Diversify a Pastoral Lease. Any approvals relating to activities intended to be undertaken on the land must be in place before a Permit to Diversify will be granted.

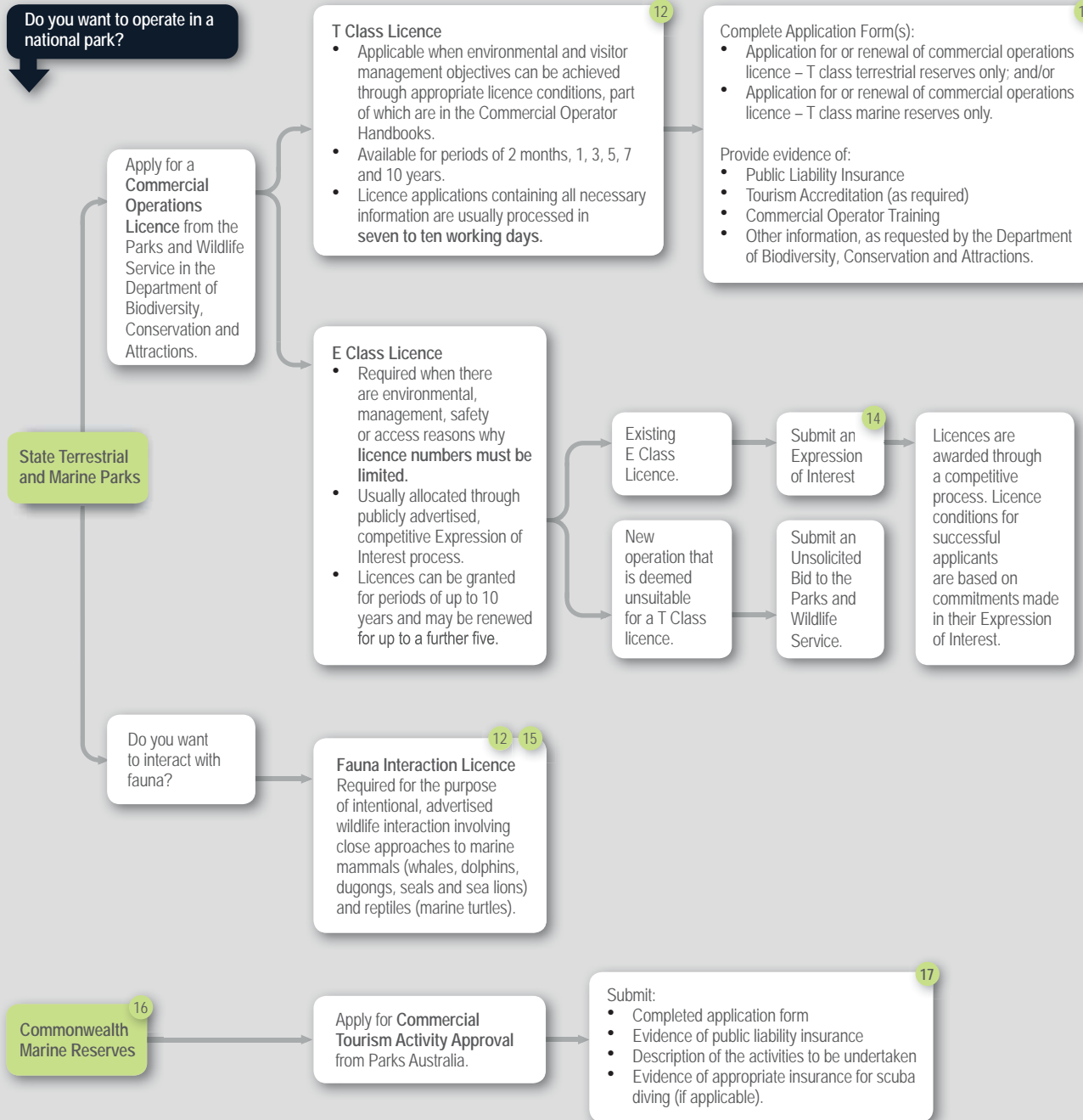
STARTING AN ECO OR NATURE-BASED TOURISM BUSINESS IN WESTERN AUSTRALIA

Operating in National & Marine Parks

-  Establish Business Accreditation
-  Crown Land
-  National Parks
-  Transport
-  Fishing Food Alcohol
-  Codes of Practice Checklist

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OPERATING IN NATIONAL AND MARINE PARKS



Helpful Hints

- 12** Refer to the *Commercial Operator Handbooks* for comprehensive information on operating in areas managed by the Parks and Wildlife Service (Department of Biodiversity, Conservation and Attractions). The Handbooks contain details of specific activities and locations. Handbooks are available from: www.dbca.wa.gov.au
- 13** Applicants are required to complete *Online Commercial Operator Training* prior to their licence being issued or renewed. Details are available from: www.dbca.wa.gov.au
- 14** Information on the *Expression of Interest* process is available from: www.dbca.wa.gov.au (Parks and Wildlife Service > Parks > For business > Commercial opportunities)
- 15** The *Australian National Guidelines for Whale and Dolphin Watching 2005* govern watching whales and dolphins in the wild, including observations from the land, water or air as well as activities such as swimming and diving, feeding, touching and making noise. The *Wildlife Conservation (Close Season for Marine Mammals) Notice 1998 and Amendment Notice 2016* specify approach distances for vessels, swimmers and aircraft for whales, dolphins, seals, sea lions and dugongs.
- 16** All Commonwealth Marine Reserves are located in Commonwealth waters administered by the Commonwealth Government. These are beyond Western Australia's jurisdiction.
- 17** The application form for *Commercial Tourism Activity Approval* is available from: marinereserves@environment.gov.au or phone 1800 069 352.

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

Transport



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National Parks



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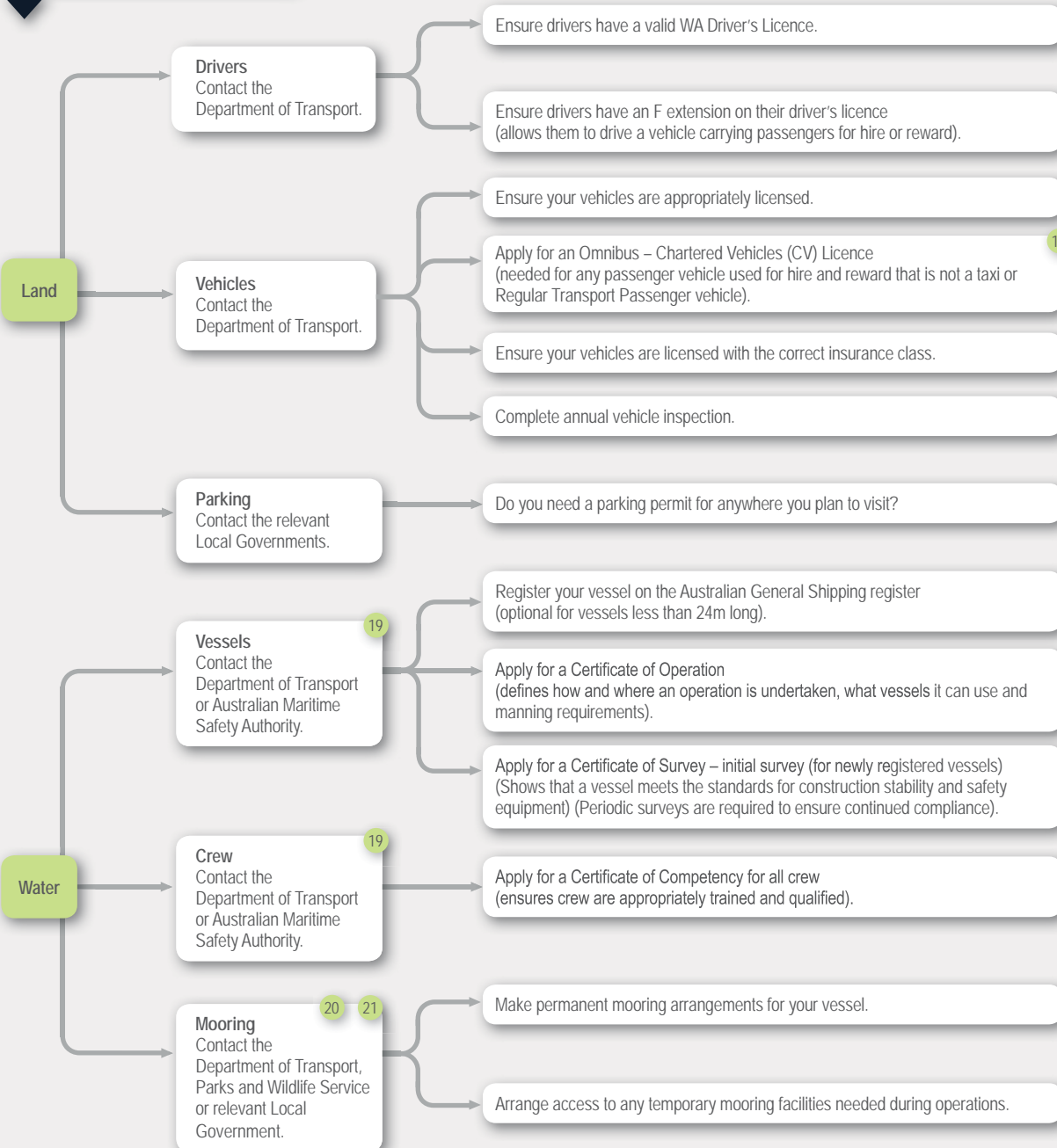


Codes of Practice Checklist

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TRANSPORT

Do you need to transport passengers?



Helpful Hints

On-demand Transport Reforms
Visit www.transport.wa.gov.au:

- Discussion paper on recent on-demand transport reforms (search for "on-demand transport green paper")
- Guidelines to understand recent changes (search for "on-demand transport reform")

Off-Road Vehicle Registration
Required for vehicles not licensed for and not used on public roads if they are to be used in an area designated for off-road use by a local council. Not required for use on private land.

18 Under an omnibus licence, drivers need to have a fatigue management plan that aligns with the Commercial Drivers Fatigue Management Code of Conduct.

19 Vessels and crews must be compliant with the National System for Domestic Commercial Vessel Safety. The Australian Maritime Safety Authority (AMSA) is the national regulator but operations in Western Australia are delegated to the Department of Transport until 1 July 2018.

20 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.

21 The Jetties Act 1926 (WA) defines a jetty as any structure connected to a body of water that, wholly or in part, may be used for the purpose of launching or landing a vessel. This includes wharves, piers, grids, slips, landing places, stages, platforms, ramps, fixed or floating structures, and erected or placed structures. All jetties require a licence, which must be in place before construction of any new jetty commences. Jetty licensing is administered by the Department of Transport.

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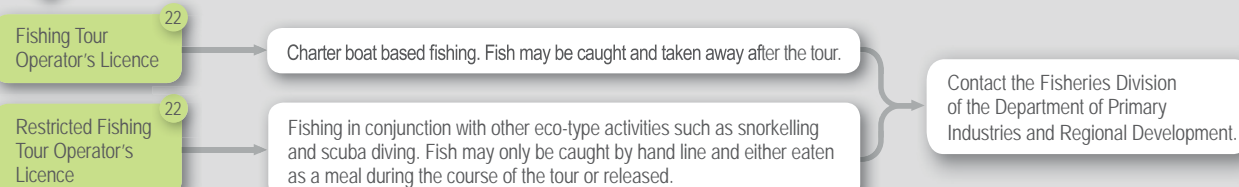


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FISHING

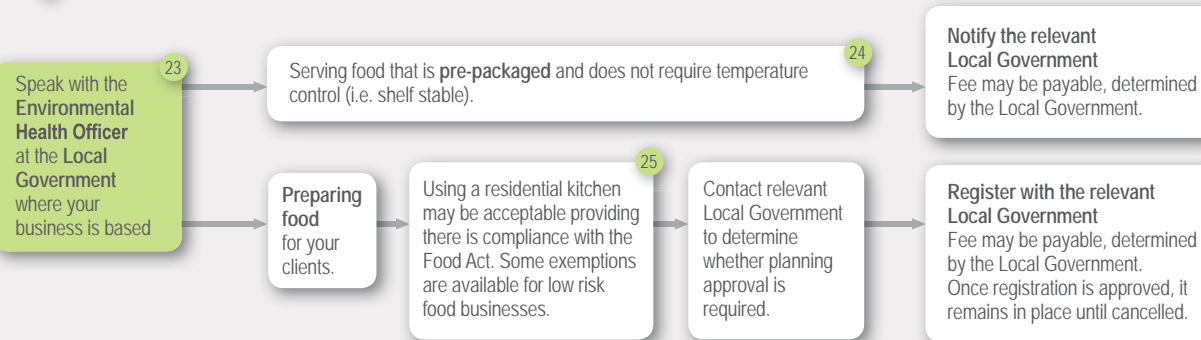
Will your tour include fishing?



FOOD

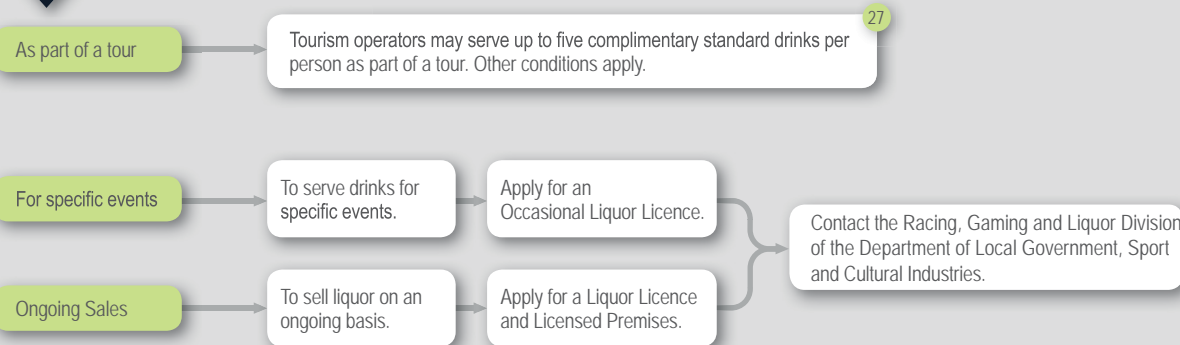
Do you want to provide food?

NOTE: Any business involved in the production or sale of food (including providing food as part of a tour package) is classed as a "Food Business" and must comply with the *Food Act 2008*.



ALCOHOL

Do you want to provide alcohol?



Helpful Hints

22 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.

23 It is not necessary to Notify local governments where you stop to serve food as long as it is only eaten by tour customers.

24 Guidelines on risk level of various food are detailed in Food Act 2008 fact sheet "Assessment of businesses that manufacture food" available from www.health.wa.gov.au

25 Consider doing Food Safety Training. It may reduce your risk rating.

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.

26 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.

27 Visit www.wa.gov.au and search for "Exemption to the Liquor Control Act 1988"



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CODES OF PRACTICE, STANDARDS AND GUIDELINES

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.

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- 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)

FINAL CHECKLIST

- | | |
|--|---|
| <input type="checkbox"/> Business established | <input type="checkbox"/> Licence for fishing (if applicable) |
| <input type="checkbox"/> Tourism accreditation (not essential if not operating in a national park) | <input type="checkbox"/> Food preparation requirements (if applicable) |
| <input type="checkbox"/> Permission to access chosen location(s) and undertake all proposed activities (A Commercial Operations Licence if operating in a national park) | <input type="checkbox"/> Provision of alcohol (if applicable) |
| <input type="checkbox"/> Transport related licences and certificates (if applicable) | <input type="checkbox"/> Relevant Codes of Practice, Standards or Guidelines identified |



Helpful Hints

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

YOU ARE READY TO START!