



Australian Government
Director of National Parks



Parks Australia Commercial tourism activity licence guidelines





Commercial tourism activity licence guidelines

Introduction

These guidelines provide information on licence requirements for conducting commercial tour operations in the terrestrial Commonwealth reserves established and managed under the Environment Protection and Biodiversity Conservation Act 1999 (known as the EPBC Act).

These reserves include six national parks (three jointly managed with their traditional owners) and the Australian National Botanic Gardens and Norfolk Island Botanic Gardens.

The national parks are Booderee, Kakadu, Uluru-Kata Tjuta, Christmas Island, Pulu Keeling and Norfolk Island. The guidelines should be read in conjunction with the current management plan and other strategic directions for each reserve.

Where the management plan for a reserve has expired it will continue to guide the management of activities in the reserve until a new plan comes into effect.¹

Please see separate guidance on commercial tourism permits and licence to occupy or leases², and conducting events in these reserves.

Information about requirements for commercial tours in marine Commonwealth reserves can be obtained at <http://www.environment.gov.au/marinereserves/activities.html#tourism>.

For the Great Barrier Reef Marine Park at <http://www.gbrmpa.gov.au/zoning-permits-and-plans/permits/when-do-you-need-a-marine-parks-permit>

Background

The Director of National Parks (Parks Australia) is keen to provide opportunities for new high quality tourism experiences. Tour operators play an important role in facilitating visitor access, encouraging positive behaviour and in promoting the values of the reserves.

Licence agreements for limited or exclusive tour opportunities is one of the new mechanisms introduced to work with the tourism industry in developing and facilitating partnerships.

Other new mechanisms include [longer-term permits](#) (for suitably accredited operators) and licence-to-occupy or leases for tour operations that require longer term security to provide a return on capital investment, for example, for fixed infrastructure. These mechanisms aim to provide greater flexibility, clarity and certainty for industry.

Licensed activities may include exclusive or restricted activities such as on-park dining experiences, coffee carts, sports fishing, safari camps at managed campgrounds, commercial bushwalking tours or tours to exclusive use sites.

¹ Licences can continue to be issued.

² A lease may be appropriate if your proposal requires long-term occupancy, exclusivity and/or infrastructure.



Management of commercial tourism activities

Commercial tourism activities in Commonwealth reserves are managed to ensure the delivery of high-quality visitor services and minimal environmental impact.

The tourism industry plays an important role in providing experiences in parks that allow visitors to safely enjoy these special places.

Licences and licence conditions enable us to:

- maximise the safety of park visitors
- encourage appropriate behaviour in the park
- ensure that commercial and other park users are accountable for their actions
- separate potentially conflicting activities
- manage impacts on high-use and sensitive areas
- monitor activities that could degrade biodiversity, heritage and other park values
- collect data for planning and management.

A commercial tourism activity will require a permit if it is a routine or standard activity in/to areas of reserves that are generally open to the public without a limit on numbers.

If a tourism activity is limited by type, location, number of operators or involves exclusive use of a site then the activity will operate under a tourism licence. Licences are issued with a minimum five year term.

If long-term use of a building or area of land is required then you will most likely need a licence-to-occupy or lease.

Please contact the relevant reserve to discuss the management arrangements for your activities.

A licence agreement will be appropriate where an exclusive or restricted right is to be granted to operate a commercial tourism operation that is limited by type, location, number of operators or specific operator/product.

In addition to general licence conditions, commercial licenses include activity and site specific conditions (eg. certain equipment standards or tour guide qualifications to conduct certain activities).

When will a licence be issued?

If a tourism activity does not involve, for example, access to exclusive sites, or access to a reserve after hours, then a permit will generally be the appropriate form of authorisation.

Licences confer a degree of exclusivity because the type of activity may be restricted, or the numbers of licences or access to sites may be limited by:

- Type of activity (e.g. only one bike tour in operation within the reserve)
- Location (e.g. exclusive or limited access to a site such as Jarrangbarnmi in Kakadu)
- Number (e.g. a limit of five licences available to be offered in a park).

Licence agreements offer greater flexibility for tour operators as they can be individually tailored. This aims to promote innovation and new appropriate activities in reserves.



Categories of licensed commercial tourism activity

There are currently two categories of licensed commercial tourism activity:

New exclusive or limited tourism activities (licence agreement and fees negotiated on a case by case basis) may include but not be limited to:

- activities conducted outside the reserve's opening and closing times
- activities conducted in areas not currently available to the general public
- exclusive areas for commercial tours operators
- establishment of a licence or lease of an area within the reserve
- activities on the reserve and the surrounding land trusts that transit the reserve
- motorised or non motorised activities using existing or non existing tracks
- hire of equipment to be used on the reserve's existing tracks
- food and beverage stalls operated in the reserve
- overnight accommodation such as camping or permanent tents

OR

Licences for 'special' activities in Kakadu (licence agreement and fee structure as outlined at <http://www.environment.gov.au/parks/permits/pubs/kakadu-guidelines-to-apply.pdf>).

For proposed new activities, not previously conducted in the reserves, operators should contact the relevant tourism and visitor services manager.

Special activities in Kakadu National Park

Activities conducted under special permits in Kakadu will be transitioned to licence agreements due to the exclusive and restricted nature of these activities. Tour operators will be able to apply for licences through a competitive application process, conducted twice annually. Further information on application requirements, application rounds, guidance and fees can be found at <http://www.environment.gov.au/parks/permits/kakadu-tours.html>, or by contacting the tourism and visitor services manager (contact details at the end of this document).

Is my activity for a commercial purpose?

An activity is regarded as commercial if it is done as part of a business or trade with the intention of making a profit. This includes activities that are carried out under contract, consignment for another person, with a view to being sold or hired out, or for the promotion or advertising of a product or service.

Examples of commercial activities in a Commonwealth reserve include:

- undertaking a guided tour, safari, scenic flight, cruise or excursion
- the hire or sale of goods or services
- supplying services or facilities
- commercial photography and filming
- advertising or promoting the reserve as part of a tour, safari, cruise or excursion
- advertising or promoting the use of a reserve as a feature associated with a resort or tourist facility.



Is the activity appropriate in the reserve?

In managing commercial activities in Commonwealth reserves Parks Australia and commercial tourism operators need to follow:

- requirements of the EPBC Act and Regulations
- the relevant reserve management plan
- strategic documents such as tourism vision statements for the reserve
- work, health and safety and other requirements.

How will licences be issued?

Licences will generally be granted through an open and competitive application process. In some situations an application may be accepted from a single operator if they meet the requirements specified (see section below). All applicants will be assessed according to the selection criteria for licences. A licence application form is available on request by contacting the reserve.

Selection of applicants in an open competitive process

Applications will be assessed by a selection panel, including representatives from industry or other experts as appropriate.

For specific application dates and application documents relevant to each reserve please refer to the reserve-specific webpage <http://www.environment.gov.au/parks/parks/index.html>.

Direct application or negotiation

In some situations an application may be accepted from a single operator without an open competitive process. Those situations are:

- For a new tourism operation conducted by traditional Aboriginal owners of Kakadu, Uluru-Kata Tjuta or Booderee national parks, or as part of a joint venture - in order to facilitate its establishment. Future licences for the same activity type may be offered competitively.

- For a new tourism operation where it can be established that the operator has invested significant time and resources in developing a unique product. This recognises that in order to expand the range of visitor experiences, an “early mover” advantage may be appropriate. Future licences for the same activity type would be offered competitively.

- For existing tour operations being conducted under a permit but, consistent with this policy, would more appropriately be conducted under a licence agreement. Future licences for the same activity type would be offered competitively.

Selection criteria

Licence applications will be assessed against selection criteria. Selection criteria are used to promote high standards of service and quality and ensure that a transparent merit based approach is used to award licences.

Applications must achieve a minimum score of 80 per cent to be eligible for a licence. An order of merit will be established that may be used to allocate future licences if they become available. Selection criteria include, but are not necessarily limited to:

1. Consistency with the reserve management plan and other relevant strategic tourism documents
2. Environmental impact assessment/ approval, Board of Management approval and/or relevant Aboriginal owner approval (for new activities)
3. Quality of business operation, including business management track record, financial viability of the product and successful history of operating within the park and/or a similar operation elsewhere
4. Benefit to traditional owners in jointly managed parks including through joint ventures, employment and training and any in-kind support
5. Risk management and visitor safety procedures
6. Standard of equipment
7. Professionalism of staff including training and qualifications
8. Accreditation and relevant codes of conduct
9. Environmental, social and cultural sustainability



What does getting a licence mean for me?

Successful applicants will enter into a Licence Agreement with the Director of National Parks. A copy of the Licence Agreement, licence conditions and application form is available from the Tourism and Visitor Services Manager or Park Manager (see contact details at the end of these guidelines).

Duration of a licence

Licences will be for a minimum term of five years. Longer terms may be appropriate where significant investment is required. Licence agreements will take into account the particular circumstances of a commercial tour operation.

Accreditation

Tour operators applying for a licence must be accredited under a Tourism Accreditation Australia Limited (TAAL) program.

A copy of the renewed accreditation certificate must be supplied annually.

The following accreditation programs currently meet the Director of National Parks requirements under TAAL:

- Ecotourism EcoCertification Program (Ecotourism Australia)
- Advanced EcoCertification Program (Ecotourism Australia)
- Nature Tourism EcoCertification Program (Ecotourism Australia)
- Respecting Our Culture (Ecotourism Australia)
- ATAP (Australian Tourism Accreditation Program).

Accreditation aims to assist every tourism business to improve the way it operates.

It provides consumers and the industry with an assurance that a tourism operator is committed to quality business practices, sustainability and professionalism in all aspects of the enterprise.

For assistance with and further information on tourism accreditation please refer to the Australian Tourism Accreditation Program <http://www.tourismaccreditation.org.au/> or Ecotourism Australia <http://www.ecotourism.org.au/>.

For operators in the Northern Territory (NT), information on programs licensed by TAAL, can be found on Tourism NT's website: <http://www.tourismnt.com.au/industry-resources/tourism-accreditation.aspx>

Additionally, Tourism NT's Business Development team can help you identify the most suitable accreditation program for your business and help you achieve and maintain your tourism accreditation.

Tourism NT also allows accredited businesses to access their marketing and promotion services. This has resulted in a high level of accreditation uptake in the Northern Territory.

Tour guide training

It is compulsory for all tour guides working in Uluru-Kata Tjuta and Kakadu national parks to have successfully completed the [Knowledge for Tour Guides](#) program.

This program provides entry-level training covering all the things a tour guide should know when working in each park - including key areas of visitor safety, understanding the park's natural and cultural values and history, minimising environmental impact and legal compliance.



Licence fees

For new activities, licence fees will be negotiated within a framework that will take account of the commercial return gained from the activity, the level of investment made by the operator in conducting the activity in the reserve, reasonable contribution to the cost of running the reserve, and non-financial benefits to the reserve and traditional owners.

Depending on activity type, licence fees may be structured as:

- a. a percentage of gross turn over; or
- b. a per head fee; or
- c. a fixed fee; or
- d. a combination of the above, with provision for regular review, such as CPI increases

Licences offer the potential to negotiate fee reductions where there is a traditional owner benefit – for example where the operator guarantees employment or provides infrastructure or training. Licence fees can also be restructured to be fairer to small players.

For all licence applications there will be a \$200 non-refundable application fee.

Public liability insurance

If you wish to carry out a commercial activity in a Commonwealth reserve you must have public liability insurance cover for an amount of at least \$20 million per incident/event.

This requirement ensures that tour operator clients and other park users can be compensated for personal injury or loss/damage to property due to incidents for which a tour operator is legally responsible.

It also protects operators against the financial risk of these type of incidents.

Licence review and performance

If an operator does not commence the licensed activity within an agreed period, or if once operational the activity ceases to be offered or conducted, a review may be undertaken to determine whether the licence should be revoked ('use it or lose it' approach).

Key Performance Indicators for compliance and ongoing monitoring will be included in licences and tailored to the activity type (this may include a requirement for annual audit of accounts, environmental compliance, indigenous benefit and service quality).



Your step-by-step guide

1

Visit our website at www.environment.gov.au/parks for information about Director of National Parks licence requirements.



2

Contact the tourism and visitor services officer in the relevant park to discuss your application, including details of activities and locations and request an application kit.



3

Prepare application including proof of accreditation, public liability insurance in accordance with the requirements outlined in the application kit.

If a new activity, liaise with tourism and visitor services to get concept approval or at a jointly managed park, put through board of management for approval.



4

Complete and submit your application including:

1. Brochures
2. Tour schedules
3. Operations
4. Public liability insurance
5. Accreditation certificates etc
6. Licence fee



5

Results from assessment announced within four weeks of selection panel (or board where required) convening.



6

Signing and issuing of licence.



Contacts

Booderee

Permits administrator
Ph: 02 4442 1006 /02 4429 7227
Fax: 02 4443 8302
booderee.mail@environment.gov.au

www.environment.gov.au/parks/permits/booderee-tours.html

Kakadu

Tourism Services Officer
Ph: 08 8938 1170
Fax: 08 8938 1117
kakadu.permits@environment.gov.au

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

Uluru – Kata Tjuta

Permits officer
Ph: 08 8956 2252
Fax: 08 8956 2657
Uluru.permits@environment.gov.au

www.environment.gov.au/parks/permits/uluru-tours.html

Australian National Botanic Gardens

Permits administrator
Ph: 02 6250 9404
Fax: 02 6250 9539
vc@anbg.gov.au
www.environment.gov.au/parks/permits/anbg-commercial.html

Christmas Island

Park Manager
Ph: 08 9164 8700
Fax 08 9164 8755
christmasislandNP@environment.gov.au

www.environment.gov.au/parks/permits/christmas-tours.html

Norfolk Island

Park Manager
Ph: +6723 22695
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coral.rowston@environment.gov.au

www.environment.gov.au/parks/permits/norfolk-tours.html

Pulu Keeling

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www.environment.gov.au/parks/permits/cocos-tours.html

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