



NSW National Parks
and Wildlife Service

P A R K S
ecopass
NPWS's COMMERCIAL RECREATION & TOUR OPERATOR LICENSING SYSTEM

Information
Booklet

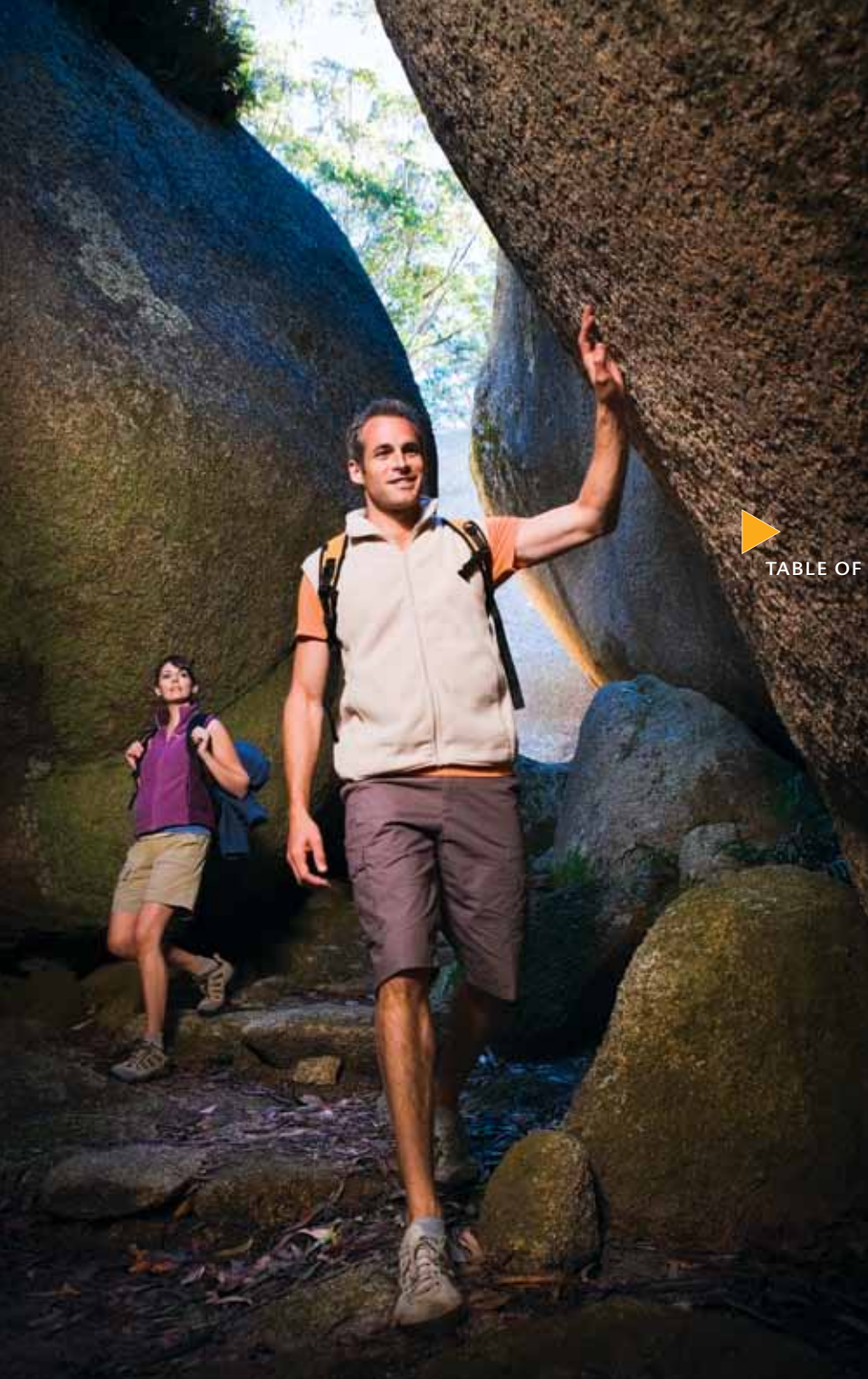


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clarity
consistency
certainty

LEFT: Bald Rock National Park.
Photo: P. Foley/DECCW.

Introduction

New South Wales has over 850 national parks and reserves, protecting more than 7 million hectares of natural and cultural heritage.

These distinct and outstanding assets make New South Wales a highly desired visitor destination. The NSW National Parks and Wildlife Service (NPWS) is responsible for protecting the values of these special places while providing a wide range of experiences for all visitors.

Nature-based tourism and recreation are major contributors to the NSW economy. Recreation and tour operators play an invaluable role, in partnership with NPWS, in promoting our parks and encouraging visitors to appreciate, understand and enjoy them. There are currently over 180 licensed recreation and tour operators taking visitors into parks to participate in a wide range of activities from bushwalking, abseiling, cycling, surfing and kayaking to cultural, educational and eco tours.

The *Parks Eco Pass* licensing system was launched in July 2009 and, following its first 12 months of operation NPWS undertook a review in order to find ways of improving our service to operators. The review sought the views of operators and key staff within NPWS whose job it is to ensure the smooth administration of the licensing system. The feedback, combined with research into current best practice has contributed to a range of changes to *Parks Eco Pass*.

The revised system offers a new fee structure in recognition of the flexibility required by operators in their scheduling of tours and activities. A concession rate will continue to be available and the definition has been clarified to improve business certainty. Other changes will be developed over time.

The Department of Environment, Climate Change and Water has developed *Parks Eco Pass* as a tool for achieving the three aims of sustainable development: social; environmental and economic; to sustain the natural and cultural heritage of our parks, to encourage visitor enjoyment and appreciation of park values and to nurture our nature-based tourism and recreation industry.

The Department wants high operating standards and enjoyable experiences from our licensed partners. In the end, people who are closely connected with our parks will help us to protect these valuable places for future generations to enjoy.



LEFT: Sydney Harbour National Park, Photo: D. Smith/DECCW.



When did the new system come into effect?

Parks Eco Pass came into effect on 1 July 2009.

What's new about the system?

The key ingredients of the *Parks Eco Pass* system include:

- ▶ one licence (obtained through one application process) which will allow businesses to operate across multiple parks
- ▶ a consistent fee structure throughout the state
- ▶ increased certainty by permitting the transfer of licences if a business is sold
- ▶ lengthened operator licence terms (up to 10 years)
- ▶ access to a raft of new, free and/or 'opt in' marketing/promotional opportunities to help operators grow their business
- ▶ access to a centralised, informative and responsive licensing system
- ▶ a guarantee of service for licence assessment (eight weeks) with a new dedicated, central coordinator as a key contact point
- ▶ improved monitoring and compliance to reduce the number of unlicensed operators and improve performance of licensed operators.

Subcontracting

Many operators use subcontractors for certain products within their operation or when the volume of business requires extra staff or vehicles. All subcontracting undertaken as part of a licence must be consistent with the licence agreement (including qualifications, experience and accreditation of the subcontractor). All subcontractors must be nominated on the licence application.

The licensed operator must ensure that the subcontractors carry a copy of the licence conditions, and undertake to comply with those conditions.

Who needs a licence?

Any business entity, organisation or individual undertaking a **'commercial activity'** associated with recreation, tourism and/or education in a NSW national park or reserve must hold a commercial recreation and tour operator licence.

It is the nature of the activity, rather than the organisation itself, that will determine whether a licence is required.

Whether an activity is deemed commercial depends upon a range of factors. For example, some not-for-profit organisations conduct tours and/or activities for financial return over and above base operating costs. In this situation the operator would require a licence.

A commercial activity will include **some or all** of the following elements:

- ▶ a principal commercial purpose or aim to profit
- ▶ the activity is ongoing or regular
- ▶ an entry, participation or membership fee is collected to cover indirect expenses as well as direct expenses
- ▶ the activity, course, tour or transport is provided free of charge but in conjunction with another commercial product or service
- ▶ the activity is available to the general public rather than a specific membership group
- ▶ a service (such as a guide or leader) is provided and they are paid or compensated.

If you are unsure whether you require a licence or would like further information go to www.environment.nsw.gov.au/parksecopass or contact the *Parks Eco Pass* Coordinator on 02 9585 6082.

What are the new licence terms?

There are four licence categories for commercial recreation and tour operators:

- 1 **One Year Licence**
- 2 **Three Year Licence** — subject to relevant endorsed outdoor recreation or tourism accreditation
- 3 **Premium Licence** — a 10 year licence subject to relevant endorsed outdoor recreation or tourism accreditation and the type and location of the activity
- 4 **Competitively Allocated Licence** — NPWS may consider a Competitively Allocated Licence for a fixed term subject to the nature and location of the proposed activity. Such licences will only be available when NPWS determines that the number of licences for a particular activity/location should be restricted for reasons of visitor safety, experience, or to ensure the ongoing protection of the site's natural and cultural values.

A licensee will be granted three consecutive one year licences before being encouraged to obtain accreditation and apply for a longer licence. NPWS however retains the discretion to permit further one year licence terms if it is more suitable to the size and type of commercial operation.

Who will not require a licence?

Private groups and individuals that are undertaking recreational or educational activities (and are not conducting a business or commercial activity) do not require a licence.

In summary, the following entities **do not** require a licence:

- ▶ sport and recreation clubs, groups and individuals that are not business entities that provide services to their members and do not receive financial reward (e.g. bushwalking clubs)
- ▶ Volunteer groups, such as 'friends' of NSW parks, will not require a licence unless they are conducting a commercial activity. For example, volunteers providing activities where the participants make a donation to the volunteer that does not exceed the direct costs of running the activity will not require a licence.
- ▶ hire vehicles/vessels accessing national parks and reserves where an itinerary (including a destination) or guided tour has not been specified in promotional material (e.g. a vehicle advertised as a 'bus for hire', 'car for hire' or 'campervan for hire')
- ▶ schools, TAFEs and universities where the activities are provided by staff as part of their

curriculum for the benefit of their own enrolled students.

This may also include institutions registered to operate the Duke of Edinburgh Award. However, if a tour or activity is provided to students by a non-staff member for reward, that person or entity will require a licence.

International educational tour groups visiting NSW national parks and reserves should contact NPWS to determine if a licence is required.

- ▶ public transport services with regular routes and timetables, and taxis
- ▶ booking agents or any other business entities in the tourism supply chain that do not access national parks and reserves.

Please note that all clubs, groups and organisations that **do not** require a licence will still be expected to adhere to the same activity, environmental and safety standards (including the NSW Adventure Activity Standards) required of licensed commercial recreation and tour operators when undertaking outdoor adventure activities in NSW national parks and reserves. All groups should notify local park staff when they intend to visit a park or reserve.

What are the new fees?

All fees are GST inclusive. There will not be an application fee in addition to the annual fee for 3 year and Premium licences.

Licensees are required to submit a quarterly trip return report every calendar quarter including details of number of clients for that period and per head use fees due. Each quarterly trip return report must be accompanied by the quarterly use payment for that quarter.

Licensees do not have to pay the NPWS park use fee on entry to the park. They must, however, pay the scheduled fee for all other NPWS fee-based services including camping, car parking, entry to museums and *Discovery Walks, Talks and Tours* programs.

▶ One Year Licence application fee:	\$150.00* (\$250)
▶ Three Year Licence annual fee:	\$300
▶ 10 Year Premium Licence annual fee:	\$350
▶ Per Head Day Use Fee:	\$4.60
▶ Per Head Short Stay Fee:	\$2.30**
▶ Per Head Concession fee:	\$2.30***
▶ Major amendment fee:	\$200
▶ Card replacement fee:	\$50
▶ Licence Restoration fee:	\$50

* Please note: this is a special introductory fee valid until 1 July 2011 only.

** Up to a cumulative maximum of 2 hours. No concession is available for short stay.

*** A concession fee is payable for clients under the age of 16 years or for seniors subject to identification.



objectives

of the licensing system

The NSW National Parks and Wildlife Service (NPWS) has worked in consultation with operators, industry and other interested groups to develop and refine *Parks Eco Pass*, with the following objectives:

- 1 Provide an efficient, equitable, consistent and customer-focused system
- 2 Encourage ecologically sustainable and culturally appropriate visitor use
- 3 Improve certainty for industry investment and security
- 4 Make the system attractive for operators by offering a broad range of benefits
- 5 Encourage higher operating standards
- 6 Improve compliance and monitoring
- 7 Encourage organised groups to be appropriately and equitably managed
- 8 Recognise the invaluable role played by commercial recreation and tour operators, in partnership with NPWS, in promoting our parks and encouraging visitors to appreciate, understand and enjoy them.

BELOW: Oxley Wild Rivers National Park – swimming in Kunderand Brook.
Photo: P. Matthews/DECCW.

BELOW RIGHT: Bradleys Head, Sydney Harbour National Park.
Photo: D. Smith/DECCW.

This section considers these objectives in detail.



OBJECTIVE

1

Provide an efficient, equitable and customer-focused licensing system

In response to feedback received from industry workshops and public submissions, a clear definition of who requires a licence is presented with relevant examples in the section ‘Determining the requirements for a licence’.



OBJECTIVE

2

Encourage ecologically sustainable and culturally appropriate visitor use

NPWS’s role is to ensure the ongoing conservation of the natural and cultural values of national parks and reserves in NSW. This includes working with operators to minimise the impact of visitors especially at popular sites.

Managing sustainable use

When managing areas approaching their limit of sustainable capacity, NPWS may:

- ▶ identify limits of capacity based on management objectives for the site or area
- ▶ allocate capacity in consultation with users and considering the needs of commercial operators, schools, other organised groups and independent visitors
- ▶ consider strategies to reduce or deflect demand at the same time as strategies to improve site management.

NPWS’s role is to ensure the ongoing conservation of the natural and cultural values of national parks and reserves in NSW.

Where there are safety, environmental and cultural issues associated with a particular activity or site, NPWS may:

- ▶ renegotiate existing licences
- ▶ restrict activities in a particular location
- ▶ competitively allocate access to a particular site.

Plans of Management establish the nature and location of commercial activities that may occur in each national park or reserve. Commercial recreation and tour operators must operate according to relevant conservation policies and plans of management to ensure sustainability and to minimise impacts.

The role of operators in promoting sustainability

Commercial recreation and tour operators are required to ensure appropriate use of national parks and reserves by informing and educating clients, and carrying out their operations in a sustainable way. In particular, they are required to:

- ▶ explain to customers how negative impacts on sites can be avoided
- ▶ build understanding of natural and cultural heritage conservation management
- ▶ provide quality visitor experiences, interpretation and education
- ▶ promote respect for Aboriginal culture and sites
- ▶ observe rules to protect conservation values and public safety
- ▶ encourage active involvement in conservation activities
- ▶ adopt environmental practices which support environmental sustainability
- ▶ adopt minimal impact practices for all activities
- ▶ report damage, illegal activities and other problems to NPWS.

To support operators in their role as promoters of sustainability, NPWS will:

- ▶ provide information to assist with the development of trip itineraries and protection of environmental and cultural values
- ▶ encourage participation in collaborative research and visitor impact monitoring
- ▶ encourage feedback from operators about visitors’ attitudes to NPWS sustainable management strategies.

Aboriginal heritage

NSW national parks and reserves contain some of the state's most significant and unspoiled examples of natural and cultural heritage. NPWS acknowledges its special responsibility to find creative and positive ways to develop with Aboriginal people a shared understanding of the past, their living culture and their future aspirations. NPWS is committed to developing meaningful partnerships with Aboriginal communities.

In recognition of the above responsibilities, special conditions are included in **all** licences for operators undertaking *detailed* Aboriginal heritage interpretation which goes beyond:

- ▶ information in the public domain
- ▶ the traditional name of a place and its meaning
- ▶ the traditional name(s) of the local Aboriginal communities.

NPWS is committed to developing meaningful partnerships with Aboriginal communities.

Interpretation by members of the relevant Aboriginal community

Any commercial recreation or tour operator wishing to undertake *detailed* Aboriginal cultural heritage interpretation on Country, must employ or engage members of the relevant Aboriginal community to undertake the interpretation, unless the appropriate representatives of the relevant Aboriginal community have given specific authorisation to the person delivering the interpretation and have approved the content of that interpretation.

Commercial recreation or tour operators may only promote or identify themselves as providers of Aboriginal heritage interpretation information if they have engaged a member of the relevant Aboriginal community to undertake that interpretation, or have obtained the necessary specific authorisation and approval as outlined above.

Aboriginal lands and co-managed parks and reserves

There are some parks and reserves in New South Wales that are either Aboriginal-owned with leaseback arrangements to NPWS or are cooperatively managed by NPWS in consultation with special advisory committees with a majority of Aboriginal representatives.

The *Parks Eco Pass* Licensing Coordinator maintains a register of all co-managed parks and will advise *Parks Eco Pass* applicants of any unique application and processing requirements.

For further details, visit www.environment.nsw.gov.au/parksecopass



OBJECTIVE

3

Improve certainty for industry investment and security

Ongoing certainty is a vital consideration for operators planning to invest time and money in developing activities in national parks and reserves. The *Parks Eco Pass* licensing system provides this certainty in a number of ways including support to industry and the introduction of licence transferability.

Industry support

A raft of free business advice and ongoing support is available to *all* operators (not just those licensed by NPWS) in New South Wales through Tourism NSW and the Department of Industry and Investment, to assist with product development and marketing.

At Tourism NSW these opportunities include:

- ▶ the *Start Smart Guide*, which provides 'hands on' tourism development advice and fact sheets on pricing, marketing, networking, distribution channels, commission structures, public relations and how to become market ready (i.e. website design, collateral, conducting familiarisations or 'famils').
- ▶ the opportunity to be part of the Tourism NSW Get Connected program. Once operators have developed their business and are ready to be launched into the market, they will be invited to join the Get Connected website where tourism operators in New South Wales can register for a one page entry on the consumer website www.visitnsw.com. Operators can also link to their own website from this page to receive leads from the site.
- ▶ marketing and promotional opportunities for all tourism operators in New South Wales who are market ready and listed on Get Connected. These include marketing campaigns, brochure inclusions, tradeshow, events, workshops and PR opportunities, including media 'famils'.

Material from Get Connected is also automatically fed into Tourism Australia's consumer website www.australia.com where operators have the potential to tap into an even bigger pool of potential customers, both domestic and international.

It is clear from consultation with industry that ongoing certainty is a vital consideration for operators.

For more information on industry support provided by Tourism NSW, visit www.tourism.nsw.gov.au or call (02) 9931 1111.

For information about business support programs provided by the Department of Industry and Investment, go to www.business.nsw.gov.au or call (02) 9338 6600.

Licence transfer

Licence transferability is important for industry investment and security. A significant benefit under the new system is that a holder of a three year, 10 year or Competitively Allocated Licence may apply to transfer their licence if there is a change in business ownership, provided the remaining portion of the term is greater than one year.

A fee is applicable to cover administration costs and the term of the licence will not be extended through licence transfer. One year licences are not transferable. NPWS retains a discretionary power in the granting of a licence transfer.



FAR LEFT: Sturt National Park.
Photo courtesy of Tourism NSW.

LEFT: Sydney Harbour National Park,
Photo: D. Smith/DECCW.

OBJECTIVE

4

Improve the benefits to operators

In addition to the benefits of a more customer-focused system, further incentives to encourage uptake of *Parks Eco Pass* licences include additional promotional opportunities for accredited operators (refer to Accreditation programs for further information about accreditation).

A customer-focused system

Operators can benefit from the *Parks Eco Pass* licensing system in the following ways:

- ▶ enter a partnership with NPWS that has a clear State Government mandate to increase visitation to national parks.
- ▶ receive advance notice of any road closures, major earth works, and improvements or changes to infrastructure via e-mails from NPWS.
- ▶ vehicle and personal identification that clearly indicates to the public that operators are required to be licensed.
- ▶ participation in forums to provide feedback and ideas to NPWS.

Promotional opportunities

Being part of the *Parks Eco Pass* system will open up new promotional opportunities for licensed operators:

- ▶ free marketing with contact details and ‘activity offer’ listed on www.environment.nsw.gov.au/nationalparks/touroperators.aspx.
- ▶ the opportunity for your business to be promoted at consumer travel expos and events.
- ▶ use of the NPWS *Parks Eco Pass* logo on your promotional material.
- ▶ an official licensed operator certificate to display in the place of business.

Parks Eco Pass provides clarity, consistency and certainty for commercial recreation and tour operators in recognition of the key role they play in our parks and reserves.

Extra effort

= extra benefits

Accredited tour and activity operators are eligible to receive:

- ▶ a longer licence term
- ▶ the opportunity to be profiled and promoted in the NPWS external stakeholder bi-monthly e-newsletter, *Explore* and the NPWS quarterly consumer e-newsletter, *Naturescapes*
- ▶ the opportunity to be profiled and promoted to consumers in a testimonial case study about your business on the NPWS website
- ▶ the opportunity to leverage NPWS’s membership of the Australian Tourism Export Council (ATEC) by NPWS promoting its licensed tour operators at various industry forums.

RIGHT: Sydney Harbour National Park. Photo: D. Smith/DECCW.



OBJECTIVE

5

Encourage higher operating standards

To ensure the highest possible standard of operating practice and professionalism, *Parks Eco Pass* licence holders are subject to minimum requirements regarding safety, public liability insurance and environmental protection. Longer term licences are dependent on operators going through an accreditation process.

Minimum requirements

All licensees must comply with the requirements outlined in their licence conditions regarding safety, public liability insurance and environmental protection.

Operators are expected to:

- ▶ demonstrate a high standard of appropriate behaviour towards parks and reserves and their management
- ▶ have a sound understanding of safety and environmental issues related to proposed activities
- ▶ have extensive knowledge of, and experience and skills in, all proposed activities
- ▶ carry comprehensive safety and recovery equipment for those activities
- ▶ hold the minimum required level of public liability insurance
- ▶ comply with the mandatory requirements of other authorities such as the Ministry of Transport.

Public liability insurance (PLI)

To obtain a *Park Eco Pass*, operators must effect and maintain a public liability insurance policy that meets the following requirements:

- ▶ the policy must be held with an approved insurance underwriter. Check the list on the Australian Prudential Regulation Authority (APRA) website for details of insurers authorised to conduct new or renewable insurance business in Australia (www.apra.gov.au), or call 1300 131 060
- ▶ the policy must be validated by way of a certificate of currency (CoC) that identifies all the activities undertaken
- ▶ the CoC must cover the geographic area permitted by the licence
- ▶ the name of the 'insured' must match the business operation's name
- ▶ the limit of the PLI cover must be a minimum value of A\$10 million
- ▶ the Minister for Climate Change and the Environment and Water, the Department of Environment, Climate Change and Water NSW and the Crown in right of New South Wales must be named as interested parties on the certificate.

Accreditation programs

Accreditation is considered to be a major mechanism for improving the performance, professionalism and standards of commercial recreation and tour operators. To encourage higher operating standards, 3 or 10 year or competitively allocated licences are conditional on the licence holder obtaining and maintaining an endorsed accreditation.

Accreditation must be relevant to the proposed activities. For example, for outdoor adventure activities an operator must seek accreditation with a relevant outdoor industry body. Tour operators must seek accreditation with a relevant tourism industry body.



LEFT: Boonoo Boonoo, Bald Rock National Park. Photo courtesy of Tourism NSW.

Only accreditation programs that meet NPWS requirements are recognised. To be accepted by NPWS, a program must demonstrate that it has, as a minimum:

- ▶ assessment criteria or sound practices that effectively cover protection of the environment and culture, environmental and cultural understanding, activity safety, activity competence and social sustainability
- ▶ a requirement that the applicant agrees to adopt, comply with and promote the practices listed above
- ▶ an annual process for monitoring and independently auditing compliance with the criteria, relevant legislation and other requirements
- ▶ a system to recognise operator compliance with industry standards
- ▶ a mechanism to investigate alleged non-compliance with the criteria, and, if necessary, to withdraw recognition
- ▶ an independent appeals process for applicants
- ▶ a process and timeframe for independently reviewing the program
- ▶ a process to identify and address conflicts of interest in the accreditation assessment process
- ▶ the potential for long-term program viability
- ▶ consistency with the national approach to tourism accreditation.

The following programs currently meet the requirements for the relevant licence terms.

Three year licence

- ▶ Nature Based Eco Certification Program (www.ecotourism.org.au/eco_certification.asp)
- ▶ Ecotourism Eco Certification Program (www.ecotourism.org.au/eco_certification.asp)
- ▶ Green Globe Company Standard (www.ec3global.com/products-programs/greenglobe)
- ▶ Australian Tourism Accreditation Program (www.atap.net.au)
- ▶ National Accommodation Recreation Tourism Accreditation Program (www.narta.org.au)
- ▶ Outdoor Recreation Industry Council NSW Accreditation Program (www.oric.org.au)
- ▶ Australian Camps Association Australian Campsite and Outdoor Activity Provider Accreditation Program 'Camping with Confidence' (www.auscamps.asn.au/accreditation/WhatsAccredFrameset.html)

- ▶ Surfing Australia (www.surfgaustalia.com)
- ▶ Academy of Surfing Instructors Accredited Surf Schools program (www.academyofsurfing.com/surfing/accreditation)

**Premium (10 year) licence/
Competitively Allocated Licence**

- ▶ Advanced Ecotourism Eco Certification Program (www.ecotourism.org.au/eco_certification.asp)
- ▶ Green Globe Company Standard (www.ec3global.com/products-programs/greenglobe)
- ▶ National Accommodation Recreation Tourism Accreditation Program (www.narta.org.au)
- ▶ Outdoor Recreation Industry Council NSW Accreditation Program (www.oric.org.au) (NPWS endorsed)

Licence holders are required to maintain their accreditation and submit proof annually of currency of accreditation. The accreditation programs are reviewed regularly by the *Parks Eco Pass* Coordinator to determine the most appropriate programs for accreditation.

RIGHT: Nymboida River. Photo courtesy of Tourism NSW.

FAR RIGHT: Pilliga NR Gecko Photographics. Photo courtesy of Tourism NSW.



OBJECTIVE

6

Improve compliance and monitoring

To better monitor and enforce compliance with licence conditions, the following initiatives are incorporated:

- ▶ vehicle and logo tags indicating status as a licensed operator
- ▶ all 'on ground' operators to carry a copy of their *Parks Eco Pass* licence whenever practicable, which contains all relevant general, activity and site specific conditions for their activities
- ▶ regular reviews of licence conditions to ensure that conditions remain practical and enforceable
- ▶ a contact number for licensed operators/activity providers and visitors to notify any apparent breach of licence conditions or unlawful operations. NPWS will document and monitor the complaints process in relation to unlicensed operators or breach of licence conditions.

OBJECTIVE

7

All organised groups to be appropriately and equitably managed

NPWS needs to ensure that all organised groups conduct activities safely and in an environmentally sustainable and culturally appropriate way. There may be circumstances in which private group visits could be better managed to improve visitor experiences and minimise risks to conservation values.

Educational groups

Primary and secondary schools, TAFEs and universities that carry out educational or recreational activities in national parks and other reserves conducted by staff **as part of their curriculum for their own students** do not require a licence.

Where schools choose to contract an external provider for outdoor activities they are required to use a licensed operator. If a tour or activity is provided to students by a non-staff member for reward, that person or entity will require a licence.

When visiting NSW parks and reserves, educational groups are still expected to:

- ▶ comply with Department of Education and Training guidelines
- ▶ notify NPWS prior to the visit and make a booking
- ▶ adhere to the same activity, environmental and safety conditions (including the NSW Adventure Activity Standards) as are required of licensed operators when undertaking outdoor adventure activities.

Other organised groups

Large groups and organisations such as Scouts Australia, Girl Guides Australia and the Duke of Edinburgh Award must adhere to the same activity, environmental and safety conditions (including the NSW Adventure Activity Standards) as are required of licensed operators when undertaking outdoor adventure activities in NSW national parks and reserves. NPWS will be actively seeking memoranda of understanding (MoU) with such groups to support this objective.

Events

A licensed operator may still require a consent for a specific event (commercial or otherwise) that differs from the activities specifically permitted under their licence.

Enquiries made to *Parks Eco Pass* will be directed to the relevant NPWS region office for further consideration.





ABOVE: Bald Rock National Park.
Photo: P. Foley/DECCW.

OBJECTIVE

8

Recognise the invaluable role played by commercial operators

The *Parks Eco Pass* licensing system for commercial recreation and tour operators recognises the invaluable role played by these businesses, in partnership with NPWS, in promoting our parks and reserves, increasing visitation and encouraging visitors to appreciate, understand and enjoy them.

The *Parks Eco Pass* will assist both existing operators in their current activities and new operators in establishing their business and will encourage them to expand their participation in sustainable nature-based tourism in New South Wales.



Examples of when a licence is not required

This section aims to assist organisations and other groups to determine if they will require a *Parks Eco Pass*. Examples are fictitious.

▶ EXAMPLE: COMPLIMENTARY PARK TOURS

Jade owns Kookaburra Lodge, an 'eco-retreat' providing food and accommodation for backpackers on a private farm adjacent to Watagans National Park. She offers her customers a complimentary tour of Watagans if they stay at Kookaburra Lodge for more than two nights. This offer is advertised in her brochure.

Although the customers do not pay a separate fee for the tour into the park, Kookaburra Lodge must have a licence because the activity has a commercial purpose, occurs regularly, is planned and advertised for the purpose of making a profit and occurs in a NSW national park or reserve.

▶ EXAMPLE: WHITE WATER RIDES

White Water Rides conducts rafting tours in the Nymboi-Bindaray National Park. Its core product is

one-two hour rafting trips. The company often receives requests for all-day or overnight rafting tours.

White Water Rides would like to keep its core business as one-two hour rafting trips and has encouraged one of its guides to develop a new product incorporating the requested longer activities. A new company, Rafting Odyssey, would conduct the activities using White Water Rides' equipment and guides.

Both White Water Rides and Rafting Odyssey must be licensed as both are conducting commercial activities in a NSW national park or reserve.

▶ EXAMPLE: FREE SPIRITS PTY LTD

Surfing Swells and Backpackers' Expeditions are separate companies that operate under their individual names in Bundjalung National Park. For marketing purposes, a decision has been made to combine the two

companies under one umbrella brand — Free Spirits Pty Ltd. Both businesses still conduct their own individual activities.

Both Surfing Swells and Backpackers' Expeditions must have a licence. Free Spirits Pty Ltd does not require a licence as it is a booking agent rather than an 'on the ground' activity provider.

▶ EXAMPLE: FITNESS FOREVER

Rob is a personal trainer with a business called Fitness Forever and regularly takes individual clients and groups of clients into the Sydney Harbour National Park for fitness training sessions. He receives an hourly fee for these sessions.

Rob is carrying out a commercial activity and will need to be licensed as a commercial fitness trainer.

▶ **EXAMPLE:**
BUSHWALKS FOR YOUTH

John is an enthusiastic and experienced bushwalker and active member of his local community. Once a year he takes youth groups on a five day bushwalk through a nearby national park. John charges the group food, transport and equipment costs, but he does not charge a fee for his guiding services.

John is not conducting a commercial activity provided his charges are strictly for cost recovery only and will not require a licence. He should however adopt safe and sustainable practices and notify the local park staff when he intends to take a group through a NSW national park or reserve.

▶ **EXAMPLE: AUSTRALIAN WILDLIFE FOUNDATION**

The Australian Wildlife Foundation (AWF) is a not-for-profit organisation dedicated to the preservation of endangered species. The AWF organises occasional educational tours, including a lecture and guided walk, in national parks around Sydney which are led by an experienced bush guide and AWF member, Dusty Smith. Both AWF members and the general public can attend these events. A fee is charged to attendees and Dusty receives a payment for his guiding services. The fee is greater than the AWF's operating cost to run the tour. As the AWF will receive a financial reward over their direct costs, they do require a licence with NPWS.

▶ **EXAMPLE: ALPINE ENDURANCE RIDERS CLUB**

The Alpine Endurance Riders Club has 50 members and meets annually in Kosciuszko National Park. The week-long event is attended by members of the club and their families and friends. All attendees pay a fee to the club which covers operating costs including food, transportation and prizes. The club does not make an ongoing, commercial profit from the activity.

The Alpine Endurance Riders Club does not require a commercial recreation and tour operator licence as it is not carrying out a commercial activity. The club will however require consent from NPWS to hold the event and must use safe and sustainable practices.

▶ **EXAMPLE: DUKE OF EDINBURGH AWARD PROGRAM**

Staff at Summerland High School are interested in offering the Duke of Edinburgh Award program for their students and plan to use a national park or reserve for some of the activities.

There are many organisations registered to operate the Award in NSW including schools, youth organisations and community groups.

If the school chooses a leader who is licensed through a club or community group to conduct the Duke of Edinburgh Award (such as Girls Brigade or Lions) the leader will not require a licence with NPWS. However, they will need to contact NPWS and advise them of their trip.

If the school has a teacher who is licensed to conduct the Duke of Edinburgh Award, the teacher will not require a licence with NPWS. However, they will need to contact NPWS and advise them of their trip.

If the school chooses to employ a private operator or company to conduct the Award, the operator will need to be licensed with the Duke of Edinburgh Award and will also require a licence with NPWS.

▶ **EXAMPLE:**
TOWRA POINT SHOREBIRDS PROTECTION SOCIETY

*The Towra Point Shorebirds Protection Society is a volunteer group that runs monthly study and monitoring sessions of shorebird colonies for its members and the general public. The sessions are run by experienced and committed naturalists and help to fulfil the conservation objectives of the NPWS in the region. The Society advertises the sessions in *Twitchers Weekly*, a popular birdwatchers magazine and charges an 'attendance fee' which covers advertising, food, transportation and monitoring equipment costs.*

As the Society does not receive any financial reward over their direct costs, they do not require a licence with NPWS.



RIGHT: Hat Head National Park.
Photo: D. Fuchs, courtesy of
Tourism NSW.

▶ **EXAMPLE: BERT'S BUSH TALES**

Imagination Tours is a booking agent that sells tours to Mungo National Park provided by renowned outback historian, Bert of Bert's Bush Tales. Imagination Tours hires the Countrywide Charter Bus Company for transport on the tours. Countrywide provides the transport and driver but does not advertise the tour or provide any tour guide services. Bert's Bush Tales provides the tour-guiding services (including all advertising material and itinerary). Imagination Tours does not access the park or reserve itself.

Imagination Tours is a booking agent, does not provide its own tour guide information and is not 'on the ground'. It only sells the tickets and does not require a licence.

Countrywide is the charter bus providing transport only and no tour information or itinerary. It therefore does not require a licence.

Bert's Bush Tales is conducting a commercial tour activity and requires a licence.

▶ **EXAMPLE: NATURE ESCAPES AUSTRALIA**

Nature Escapes is a small licensed operator that runs nature-based tours and guided walks in the Barrington Tops National Park throughout the year. Generally, the tours are run and guided by the owner-operator who is licensed as a guide. Occasionally Nature Escapes requires an additional guide in busy periods and retains a local bush expert, Tom Groggin, as a subcontractor, to run the additional guided walks. Nature Escapes must list this additional guide as a subcontractor in their licence application. All subcontractors must display a vehicle identification tag on their vehicles (if applicable) and comply with Nature Escape's licence conditions when carrying out the licensed activities.

▶ **EXAMPLE: INTO THE WILD**

Into the Wild is an education facility that offers outdoor recreation courses for educational and corporate team-building groups. It has expertise in orienteering, bushwalking and rafting and these activities are stipulated in its licence with NPWS. However, Into the Wild also occasionally contracts Tom Burlings to take a group of Into the Wild's clients on horse rides.

Into the Wild must have commercial recreation and tour operator licence as it is conducting commercial activities on a national park or reserve. Tom Burlings must be listed as a subcontractor under that licence.

▶ **EXAMPLE: HIGH COUNTRY TOBOGGANS**

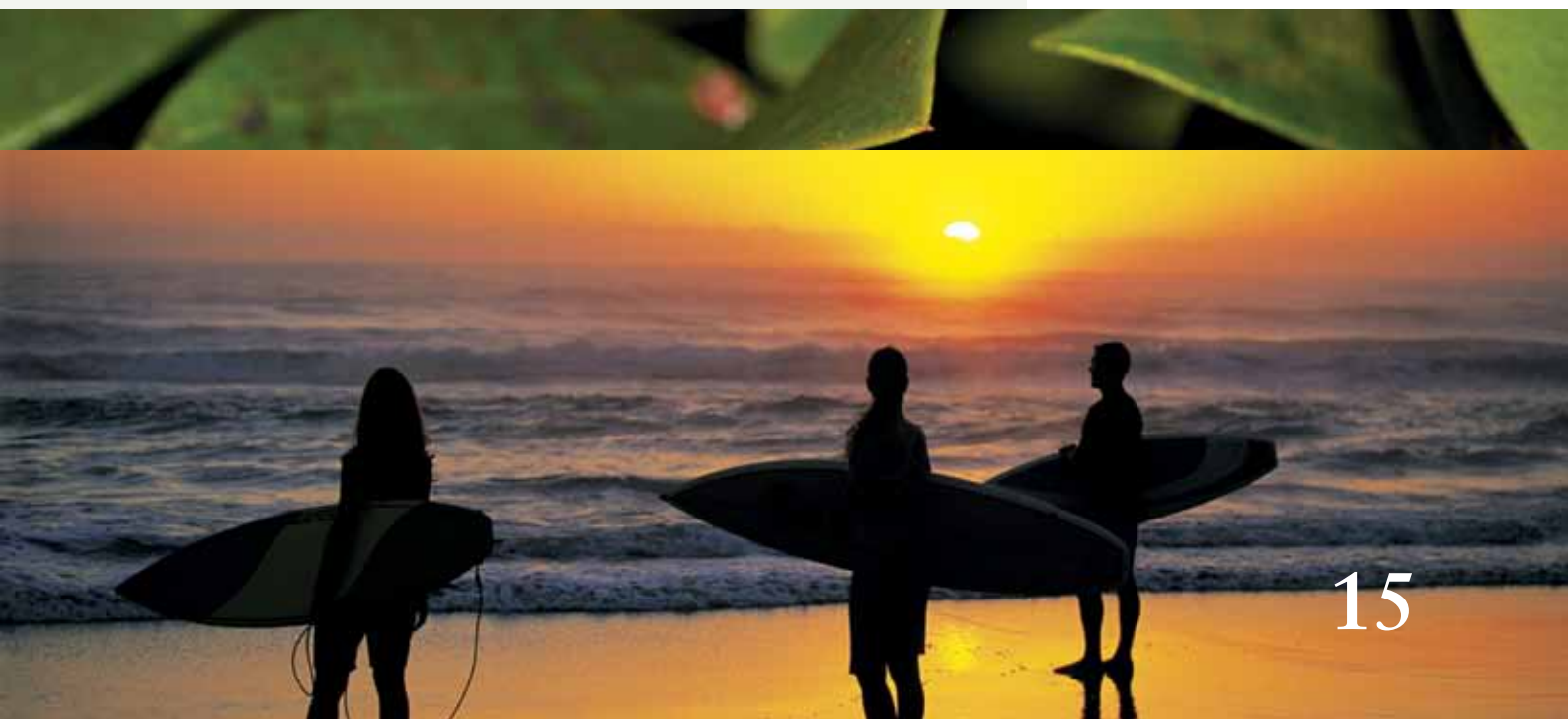
Terry Johnson operates his company, High Country Toboggans, from a small shopfront in Jindabyne. Terry's customers hire toboggans and snow boots from him and he takes them to a variety of out-of-the-way slopes suitable for tobogganing, in the nearby Kosciusko National Park. He also gives customers some basic instruction in how to use their toboggan safely.

Although High Country Tobogganing is not based in the national park, Terry is carrying out a commercial activity in the park on a regular basis. His business will therefore require a licence.

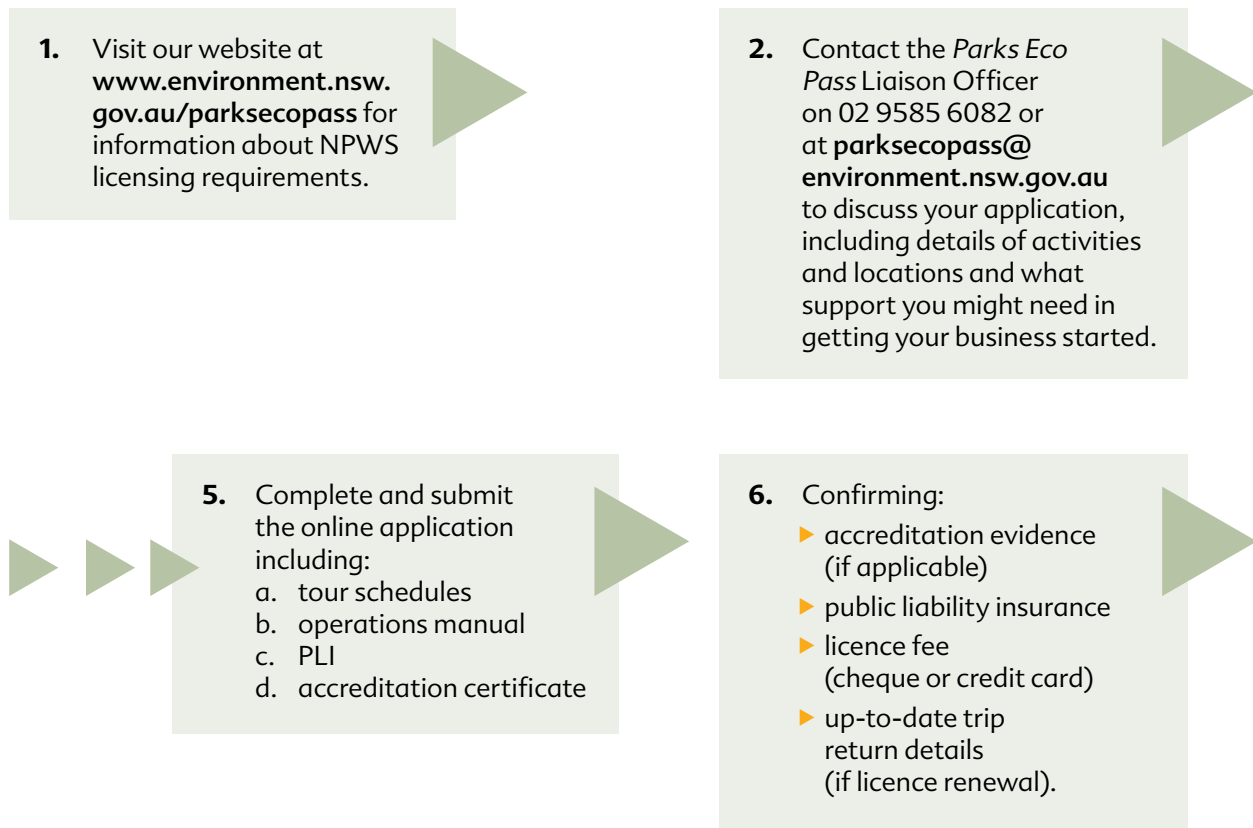
▶ **EXAMPLE: KAWAI KOALA TOURS**

Kawai Koala Tours (KKT) is a Japanese inbound tour operator that primarily organises package trips for Japanese tourists and students to Australia. A particular package offered and advertised by KKT in its promotional material to students visiting in Sydney on a three month English language course includes an 'educational' tour to Blue Mountains National Park operated by a KKT guide. These tours occur on a regular basis.

KKT is conducting a commercial activity in a NSW national park and will require a licence.



How to apply for a *Parks Eco Pass*



Licence application process

Parks Eco Pass is administered by the *Parks Eco Pass* Coordinator and all licensing information and forms are available online.

NPWS will assess each application on its merits with due consideration by relevant field staff. The *Parks Eco Pass* staff will coordinate your licence application and keep you informed of its progress. NPWS provides an eight week guarantee of service for complete applications.

One licence will be issued that will cover **all** of your commercial 'on park' activities in all NSW terrestrial parks and reserves.

Visit our website, www.environment.nsw.gov.au/parksecopass for information about NPWS licensing requirements and to complete an application form.

To discuss your application contact the *Parks Eco Pass* Liaison Officer on 02 9585 6082.

Licence terms

There are four licence categories for commercial recreation and tour operators:

1. a one year licence primarily for new operators. In order to encourage accreditation, an operator will generally be granted three consecutive 1 year licences before being required to apply for a longer licence. NPWS however retains the discretion to permit further one year licence terms if the commercial operation is not substantial. An application fee, together with quarterly use payments, is payable (see Licence fees section).

2. Standard Licence — a **three year** licence subject to relevant endorsed outdoor recreation or tourism accreditation. An annual licence fee, together with quarterly use payments, is payable (see Licence fees section).

3. Premium Licence — a **10 year** licence subject to relevant endorsed outdoor recreation or tourism accreditation. An annual fee, together with quarterly use payments, is payable.

3. Prepare an operations manual in accordance with the requirements outlined on our website.

4. Obtain a public liability insurance policy for a minimum value of A\$10 million, naming the Minister for Climate Change and the Environment, the Department of Environment, Climate Change and Water NSW and the Crown in right of New South Wales as interested parties on the certificate.

7. A licence agreement (2 copies) containing general, activity and site specific conditions to be issued to the applicant for signature and returned to NPWS.

8. *Parks Eco Pass Licence Package* issued to operator including guide and vehicle ID tags and licence certificate.

4. Competitively Allocated

Licence – NPWS may consider a Competitively Allocated Licence term of up to 10 years, subject to the nature and location of the proposed activity. Such licences will only be available when NPWS determines that the number of licences for a particular activity/location should be restricted for reasons of visitor safety, experience, or to ensure the ongoing protection of the site's natural and cultural values.

Licence renewal

Licences will not automatically be renewed on expiry.

Where an existing operator has reasonably complied with the conditions of an existing licence, and the proposed activity and the location of the activity remain unchanged and consistent with the relevant plan of management, the application and processing of a new licence will be straightforward.

For a Competitively Allocated Licence, NPWS will commence a new process with reasonable notice, acknowledging the need for industry certainty and the time required for a competitive process.

BELOW: Photo courtesy of Tourism NSW.



Licence conditions

Licence conditions specify how, when and where certain activities can be undertaken to minimise impacts on natural and cultural values, manage potential issues associated with other visitor uses, and minimise risks to public safety.

All licences will contain general, activity and site specific conditions.

Licences can include a number of different conditions:

- ▶ **General conditions** which apply to all locations and all activities, e.g. not feeding, handling or disturbing wildlife
- ▶ **Activity conditions** which apply to a particular activity in some or all locations. Activity conditions are designed to promote safe practices and minimum standards for organisations conducting outdoor recreation activities. NSW Adventure Activity Standards (NSW AAS) being developed by the Outdoor Recreation Industry Council (ORIC) may be relevant to an operator's proposed activities. Where a NSW AAS is not available, your licence will list any relevant activity conditions. Further details of NSW AAS may be found at www.oric.org.au
- ▶ **Site Specific Conditions** which are derived from the needs of the park or reserve, where the activity is to be conducted
- ▶ **Advisory Conditions** which may also be applied to individual licences.

Licence fees

Application fees are payable annually or in one lump sum. Fees are subject to Consumer Price Index (CPI) and are GST inclusive. There will not be an application fee in addition to the annual fee for 3 and 10 year licences.

Licencees will not have to pay the NPWS park use fee on entry to a park, with the exception of Kosciuszko National Park where the IPART winter surcharge may apply. They will, however, have to pay the scheduled fee for all other NPWS fee-based services including camping, car parking, entry to museums and *Discovery Walks, Talks and Tours* programs.

Licencees must submit a quarterly trip return report to the *Parks Eco Pass* Licensing Coordinator every calendar quarter in the form available on line at www.environment.nsw.gov.au/parksecopass including details of number of clients for that period and per head use fees due. Each quarterly trip return report is to be accompanied by the applicable quarterly use payment for that quarter.

▶ One Year Licence application fee:	\$150.00* (\$250)
▶ Three Year Licence annual fee:	\$300
▶ 10 Year Premium Licence annual fee:	\$350
▶ Per Head Day Use Fee:	\$4.60
▶ Per Head Short Stay Fee:	\$2.30**
▶ Per Head Concession Fee:	\$2.30***
▶ Major amendment fee:	\$200
▶ Card replacement fee:	\$50
▶ Licence restoration fee:	\$50

* Please note: this fee is valid until 1 July 2011 only.

** Up to a cumulative maximum of 2 hours. No concession is available for short stay.

*** A concession fee is payable for clients under the age of 16 years or for seniors subject to identification.



Operating in other Australian National Parks and Reserves

Commercial recreation and tour operators should be aware that to operate commercial activities in protected areas managed by the Commonwealth or other state or territory governments, permits or licences may be required.

Before planning a trip into a protected area, it is recommended that you contact the relevant government authorities, listed below, to ensure you obtain the appropriate permit or licence to conduct tours in the areas under their management.

Commonwealth (incl. Kakadu, Uluru-Kata Tjuta and Booderee national parks)

Department of Environment, Water,
Heritage and the Arts
Tel: + 61 2 6274 1111
web: [www.environment.gov.au/
parks/permits/index.html](http://www.environment.gov.au/parks/permits/index.html)

Commonwealth (Great Barrier Reef Marine Park)

Great Barrier Reef Marine Park
Authority
Tel: + 61 7 4750 0700
web: www.gbrmpa.gov.au

ACT

Department of Territory and
Municipal Services
Tel: + 61 132 281
web: [www.tams.act.gov.au/live/
environment](http://www.tams.act.gov.au/live/environment)

Northern Territory

Department of Natural Resources,
Environment and the Arts
Tel: + 61 8 8999 4555
web: www.nt.gov.au/nreta/parks

Queensland

Queensland Parks and Wildlife Service
Tel: 1300 130 372
web: www.epa.qld.gov.au

Tasmania

Parks and Wildlife Service
Tel: 1300 135 513
web: www.parks.tas.gov.au

Victoria

Parks Victoria
Tel: + 61 131 963
web: www.parkweb.viv.gov.au

South Australia

Department for Environment
and Heritage
Tel: + 61 8 8124 4843
web: www.parks.sa.gov.au

Western Australia

Department of Environment
and Conservation
Tel: + 61 8 6467 5000
web: www.naturebase.net

LEFT National Pass, Blue Mountains
National Park. Photo: R. Garthwin/
DECCW.

RIGHT: Mount Warning National Park.
Photo: S. Cairns, courtesy of Tourism NSW.

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NSW National Parks
and Wildlife Service

Further Information

Parks Eco Pass Coordinator
Tourism and Partnerships Branch
NSW National Parks and Wildlife Service
Department of Environment, Climate Change and Water NSW
PO Box 1967
Hurstville NSW 1481
E : parksecopass@environment.nsw.gov.au
T : 02 9585 6082 or visit
www.environment.nsw.gov.au/parksecopass

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www.nationalparks.nsw.gov.au