

WBA Licences Expression of Interest 2018



Invitation: Summary Advice

31 August 2018

The EOI Invitation

The Barwon Coast Committee of Management (BCCM) is calling for Expressions of Interest (EOIs) to allocate new licences for water-based human-powered activities. These include instruction and organised groups for surfing, sea-kayaking, kayaking, canoeing, standup paddling and similar activities, and the non-exclusive hiring of craft and equipment for such activities.

The purpose of this Summary Advice

This Summary Advice provides a broad summary of the EOI documentation and cannot be considered a substitute for that documentation which **MUST** be read in depth as it provides details critical to making and evaluating applications. These documents are available for download at the Barwon Coast portal at <http://www.tenderlink.com/barwoncoast> and include:

- EOI Invitation – Introduction and Part A-Conditions
- EOI Part B – Response
- EOI Part C – Licence

The portal will host all tender documentation, including additional materials, addenda and clarifications.

For further information, responses to FAQs and high-resolution copies of maps, applicants should also refer to www.barwoncoast.com.au/water-based-activities-licences. This information will be available no later than 2pm on Friday 31st August.

About BCCM

The BCCM has responsibility for the management of the coastal Crown land reserves from beach access 7W at Collendina on the eastern boundary of Ocean Grove, through to 42W Blue Rocks to the west of 13th Beach. BCCM is also responsible for the management of the Riverview Family Caravan Park, Riverside Camp Ground, Barwon Heads Caravan Park and the local port of Barwon Heads.

These reserves are extremely popular with residents and visitors. They provide a wide array of social, economic and environmental values, particularly through active and passive recreational activities. The use of the area has increased significantly in recent years through local population growth, increased tourism and the expansion of urban areas in both Geelong and Melbourne. Future urban growth and tourism planning indicates that levels of demand for coastal access and amenity will continue to increase.

The Crown Land (Reserves) Act 1978 provides for BCCM to issue licences for commercial use and activity on public land.

Background

Victoria's tour operator licensing system provides a consistent legislative framework for licensing commercial tourism and commercial recreation activity on public land and waters.

In 2012, BCCM granted licences to a total of eight operators for surf schools or similar water based activities. These have been extended until December 2018. Two of these were allocated on a competitive basis for

operating surf schools at Ocean Grove Main Beach during the peak season. A further 2 peak period licences were subsequently allocated on the Ocean Grove Spit. Other licences were not competitively allocated for the peak or off-peak period.

Government recently released revised *Competitive Allocation of Tour Operator Licences Guidelines* (the Guidelines) and a *Policy Update - Licensing System for Tour Operators and Activity Providers on Public Land in Victoria* in late May 2018, which has enabled BCCM to progress the licence renewal process.

About the licences being offered

Applicants should note that the licences offered through this EOI are different to existing licences in two main ways:

- All licences will apply to set spatial areas, with some applying to single sites during peak period; and
- The duration of some licence terms may be subject to change.

These and other issues are explained further in this summary and in EOI documentation.

Peak and Off-peak

BCCM will allocate licences for Peak and Off-peak periods. The Peak period extends from December 25th to the first weekend in February inclusive. Off-peak is all other times.

Zones and locations

Three distinct zones have been identified for water-based activity licences and contain discrete sites. They are shown in maps within the EOI documents and include:

- Zone 1: The Ocean Grove foreshore – 15W (Ramp), 15W (West), 19W, 20W
- Zone 2: The Lower Barwon River – 18W, 21W, 25W, 26W
- Zone 3: 13th Beach – 30W-36W

Depending on a range of factors, some alternate locations may be able to be utilised at BCCM's discretion.

Number of licences

Separate licences will be offered for peak and non-peak periods as follows:

- Zone 1 - Peak period licence for a single location (4 in total and separate fee applicable)
- Zone 1 – Off-peak period licence for all locations (separate fee applicable)
- Zone 2 - Peak and off-peak period licence for all locations (separate fee applicable)
- Zone 3 - Peak and off-peak period licence for all locations (separate fee applicable)

Zone 1 Peak licences are restricted to four (4). They have previously been allocated on a competitive basis and will continue to be allocated this way.

The number of non-competitively allocated licences for Zone 1 (Off-peak) and Zones 2 and 3 is not restricted and will be determined by the market and the ability of applicants to meet minimum requirements.

Importantly, BCCM is concerned that beaches and associated infrastructure may be operating at or near capacity and may warrant restrictions to water-based activity licences. However, the 2018 Guidelines require that land managers must undertake a number of actions and assessments to justify imposing any restriction on the number of licences. If restrictions were then found to be necessary, a competitive allocation process would be required. Land managers are also required to provide 12-months' notice of the intention to offer licences

through a competitive process. BCCM has therefore elected to adopt a prudent approach whereby reduced terms for non-competitive licences may be offered subject to demand evidenced through this EOI.

Licence terms

All licences will commence on 15 December 2018.

Competitively allocated licenses for the Zone 1 Peak period will have a term until 30 June 2023.

The duration of non-competitive licence terms offered will be subject to levels of demand, which will be categorised as either low/medium demand or high demand, and will differ between zones. Where low/medium demand is evident, the term offered will be until June 2023. Where high demand is evident, the term offered will be until June 2020.

If high demand is evident, an assessment of capacity will be undertaken in 2018/19 consistent with the Guidelines. If that assessment finds that restrictions on the number of licences are required, new licences will be issued by competitive allocation to commence in July 2020 and extend until June 2023 to align with Zone 1 peak licences.

Fees

Competitive licences will incur the following fees:

- Application fee of \$500 to assist in cost recovery
- Annual Fee of \$500
- Use fees of \$2.40 per adult and \$1.60 per child/school student.

Non-competitive licences will incur

- Annual fee of \$235.50
- Use fees of \$2.40 per adult and \$1.60 per child/school student.

Accreditation

The Guidelines require tourism industry certification and recognize three programs as supportive of an application for a longer-term licence. All Zone 1 Peak licences require certification from at least one of these programs. Applicants who are not able to acquire this certification prior to close of submissions have until the commencement date of the licence to achieve it.

General conditions

A number of general conditions apply and include issues ranging from an Induction process through to wash down. It is important to note that a copy of a standard licence and conditions relevant to water-based activities is provided as Part C – Licence.

Making an application

Applicants must ensure that their EOI is presented in the required format as set out in Part B. This is based on responses to a number of mandatory criteria and a number of qualitative criteria.

Word limits specified should be observed and a maximum response of 25 pages is requested, plus copies of relevant documentation.

Applications will only be received through the Barwon Coast portal at www.tenderlink.com/barwoncoast. This system is unable to accept applications after the Closing Time of 2pm on Thursday 27th September 2018.

Any questions or requests for further information or clarification must be submitted to the Project Manager in writing, via <http://www.tenderlink.com/barwoncoast>. BCCM reserves the right not to answer questions received after Friday 20th September.

Any complaint about the EOI process must be submitted in writing immediately upon the cause of the complaint arising or becoming known to the Project Manager for referral to the Complaints and Appeals Officer.

The Complaints and Appeals Officer is not a member of the Barwon Coast Committee of Management and is not involved in the management or assessment of the EOI process.

Evaluation process

Following the Closing Time, an Evaluation Team will meet in early October to consider all conforming applications and develop agreed scores for each application against both mandatory and weighted criteria.

The evaluation for competitively allocated licences and non-competitive licences will differ slightly:

- **Competitive:** Only four (4) licences can be allocated. All EOIs will be evaluated and scored against the Evaluation Criteria specified in this Invitation. If more than four EOIs are received which satisfy mandatory criteria, they will be ranked according to score and the top qualitative scores will be issued licences. If four or less are received which satisfy mandatory criteria they will be allocated a licence unless they fail to meet minimum scores of 5 (Acceptable) or above for each qualitative criteria.
- **Non-competitive:** There is no set number of licences to issue. The Guidelines state it is an expectation that all those applying should receive a licence if they meet minimum requirements. All applicants will be allocated a licence unless they fail to meet mandatory criteria or achieve minimum scores of 5 (Acceptable) or above for each qualitative criteria.

Any appeal about the competitive allocation decision should be made in writing immediately on receipt of the allocation notification and prior to the expiry of the appeals period. The written appeal must be submitted to the Complaints and Appeals Officer at office@barwoncoast.com.au.

The BCCM thanks all applicants for their interest and looks forward to receiving high quality EOIs.

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