

Water-based Activities Licences Expressions of Interest 2018

Frequently Asked Questions Update 31.8.18



This document seeks to provide answers to Frequently Asked Questions (FAQs) about the Expression of Interest (EOI) process. It includes answers to a range of questions concerned with:

1. Project and timelines
2. Licencing
3. Participation
4. Governance
5. The EOI process
6. Licences offered through the EOI

Please note the following information provides broad responses to issues which are outlined in detail in the EOI documentation. It cannot be considered a substitute for that documentation which **MUST** be read in depth as it provides details critical to making and evaluating applications.

1. Project status and timeline

What are the project stages and timelines?

The project is being developed through seven (7) stages including:

- Stage 1 Inception: June-July 2018
- Stage 2 Scoping and direction: July-August 2018
- Stage 3 Consultation: July-August 2018
- Stage 4 EOI documents and process: July-August 2018
- Stage 5 Expressions of Interest: August-September 2018
- Stage 6 Evaluation: September-October 2018
- Stage 7 Issue and appeal: October-November 2018

What stage is the EOI process up to?

Stages 1, 2, 3 and 4 are complete. Stage 5 – Expressions of Interest is now underway with all interested parties invited to apply until 2pm on Thursday 27 September 2018.

When do licences commence?

Licences are expected to take effect on 15 December to coincide with summer school holidays.

Is there a more detailed timeline?

Yes, a detailed timeline showing all key parts of the process is shown in the EOI documents available at <http://www.tenderlink.com/barwoncoast>.

2. Licencing

Why do we need licences?

Victoria's tour operator licensing system provides a consistent legislative framework for licensing commercial tourism and commercial recreation activity on public land and waters. Licensing provides land managers and government with assurances that tour operators and activity providers are:

- implementing risk management measures associated with tour or activity
- meeting relevant safety standards
- complying with environment protection conditions.

For further information refer to <https://www.forestsandreserves.vic.gov.au/tour-operators>.

What guidance/rules are being followed?

The Government has recently released revised guidance material in May 2018 which has enabled the Barwon Coast Committee of Management (BCCM) to now progress the licence renewal process. These include:

- 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*

Both these documents are available at <https://www.forestsandreserves.vic.gov.au/tour-operators>.

Why are existing licences being extended?

Existing operators will have their licences extended until 14th December to ensure bookings can be honoured and services provided to the community.

3. Participation

Who are you working with?

BCCM are working with a range of partners relevant to water-based activities such as Surf Lifesaving Victoria, the Ocean Grove Surf Life Saving Club, Surfing Victoria, DELWP and existing licensees.

We held a workshop with existing licensees and other key stakeholders to reflect on the last EOI process and operations over the past licence period in July to inform our thinking for the next licence cycle. The Summary Notes from this workshop are available on our website.

Who are you consulting with?

We recently hosted a community survey on our website and received 26 responses. The results have been incorporated where possible and will be made available shortly.

4. Governance

Who is directing the project?

A number of structures are in place to guide and develop the project:

- The EOI process is overseen by the full BCCM.
- A Steering Group comprising members of BCCM provides guidance to the Project Team and Evaluation Team and advises the BCCM.
- The day-to-day running of the project is handled by the Project Team comprising senior staff and the consultant engaged to assist with the project.
- An Evaluation Team will consider applications, assess them against criteria set out in Part A and provide an Evaluation Report to the BCCM for endorsement.
- BCCM has engaged a probity advisor to ensure all processes are conducted to the highest standard.

5. EOI process

Where are the EOI documents?

The documents which need to be considered and responded to have been made available through the Barwon Coast portal at Tenderlink at www.tenderlink.com/barwoncoast.

How do I apply for a licence?

To apply, you need to:

- Read the EOI documentation to understand the requirements
- Complete Part B – Response, making sure you satisfy both the mandatory and qualitative criteria and provide the necessary documents
- Pay the application fee if you are applying for a competitively-allocated licence
- Observe the word limits and limit your response to a maximum of 25 pages (plus copies of relevant documentation).
- Lodge the application through the Barwon Coast portal at www.tenderlink.com/barwoncoast **before** the Closing Time of 2pm on Thursday 27th September 2018.

How do I get answers to my questions?

Any questions or requests for further information or clarification must be submitted to the Project Manager in writing, via <http://www.tenderlink.com/barwoncoast>.

What if I have a complaint about the process?

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.

When does the evaluation occur?

The Evaluation Team meet in early October to agree on the assessment and scoring of applications. Their recommendations need to be approved by the BCCM and have the endorsement of Government.

Can I appeal the evaluation?

Yes, a dedicated appeals process has been established and is outlined in Part A.

6. Licences offered through the EOI

How many licences are available?

Four different kinds of licence are available across the three zones through Peak and Off-peak periods. The number will depend on whether they are allocated through a competitive or non-competitive process.

Competitive allocation process

- Zone 1 - Peak period licence. One licence is available for each of the four (4) locations.

Non-competitive allocation process

- Zone 1 – Off-peak period licence
- Zone 2 - Peak and off-peak period licence
- Zone 3 - Peak and off-peak period licence

The number of licences available through non-competitive allocation will be determined by the market and the ability of applicants to meet minimum requirements.

How long is the licence term?

All licences will commence on 15 December 2018.

Competitively allocated licenses for the Zone 1 Peak period will extend until 30 June 2023.

BCCM is concerned that beaches and associated infrastructure may be operating at or near capacity and may require restrictions to water-based activity licences. However, the 2018 Guidelines require land managers to justify imposing any restriction on the number of licences by trying different approaches and conducting specific assessments. If restrictions were then found to be necessary, licences would need to be competitively allocated. 12-months' notice of the intention to offer licences through a competitive process is then required. To address this, BCCM may offer reduced terms for non-competitive licences subject to demand evidenced through applications to this EOI.

These levels of demand 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.

Further information on licence terms can be found on the DELWP website at <https://www.forestsandreserves.vic.gov.au/tour-operators>.

Why is accreditation needed?

Government now requires that for businesses to obtain licences for longer than one year, they must meet standards set out in specified external accreditation programs. This approach uses the certainty from a longer licence as an incentive to encourage higher operating standards across the industry through take-up of accreditation programs.

For further information please refer to the new Guidelines at:

https://www.forestsandreserves.vic.gov.au/_data/assets/pdf_file/0018/215325/Competitive-Allocation-Guidelines-2018.pdf

What if my business does not have accreditation?

If your business is not able to acquire the necessary certification prior to close of submissions on 27 September 2018, we are allowing applicants until the commencement date of the licence on 15 December 2018 to achieve it. Your application must clearly express your intention, the steps you will take and indicate a timeline to achieve this certification by the commencement date.