

Water-based Licences - Expression of Interest (EOI) 2024

Invitation - Summary Advice

15 December 2023

The EOI Invitation

Barwon Coast Committee of Management Inc. (BCCM) is calling for Expressions of Interest (EOIs) to allocate new licences for Water-based human-powered Activities (WBA). These include instruction and organised groups for surfing, sea-kayaking, kayaking, canoeing, stand up paddle boarding 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 the full 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 TenderLink portal at <https://portal.tenderlink.com/barwoncoast/> and include:

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

The TenderLink portal will host **all Tender documentation**, including additional materials, addenda and clarifications.

Some of this detail is also on the [Barwon Coast website](#). This information will be available from 5pm, Friday 15 December 2023.

About BCCM

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, plus Breamlea foreshore between beach entry designations 44W to 50W. BCCM is also responsible for the management of the Riverview Family Caravan Park, Riverside Camp Ground, Barwon Heads Caravan Park, Breamlea 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 2018, BCCM granted licences to a total of eight operators for surf schools or similar Water-based activities. Four of these were allocated on a competitive basis for operating surf schools during the Peak season, two at Ocean Grove Main Beach and two at Bukareeyoo (Ocean Grove Spit). An additional three operators were also allocated non-competitive licences during the licence period. All licences were due to expire on 30 June 2023, and were subsequently extended to 15 November 2023. All of the aforementioned licences have now been extended until 31 March 2024.

Government guidelines and policy documents provide the framework for BCCM to progress the licence renewal process, refer [Competitive Allocation of Tour Operator Licences Guidelines](#) (the Guidelines) and [Policy Update - May 2018, Licensing System for Tour Operators and Activity Providers on Public Land in Victoria](#).

About the Licences being offered

We will be offering four Peak licenses in the same areas as were offered previously, at Ocean Grove Main Beach and Ocean Grove Bukareeyoo Beach. We will also offer Off-peak licenses across Ocean Grove Main Beach, Barwon River, 13th Beach and Bancoora Beach (Breamlea).

Peak & Off-peak

BCCM will allocate licences for Peak and Off-peak periods. The Peak period extends from 25 December to 31 January inclusive. Off-peak is all other times.

Zones & locations

Four 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 - Ocean Grove foreshore
- Zone 2 - Barwon River

- Zone 3 - 13th Beach
- Zone 4 – Bancoora Beach (Breamlea)

Primary locations have been identified as a focus for activities. A number of alternative locations have also been identified, and may be made available if:

- weather conditions are unfavourable at the primary location; or
- the BCCM has approved an event; and
- during Peak and Off-peak times only at the discretion of BCCM.

Number of Licences

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

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

Zone 1 Peak licences are restricted. 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, 3 and 4 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 1 April 2024.

Competitively allocated licences for the Zone 1 Peak period will have a term until 31 March 2029.

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 31 March 2029. Where high demand is evident, the term offered will be determined by BCCM and advised.

If high demand is evident, an assessment of capacity will be undertaken in 2024/2025 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 December 2025 and extend until November 2028 to align with Zone 1 Peak licences.

Fees

Competitive licences will incur the following fees in 2023/24:

- 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 (no Use fee cap)

Non-competitive licences will incur:

- Annual fee of \$259.20 (standard multi-year licence, per year)
- Use fees of \$2.40* per adult and \$1.60* per child/school student (Use fee cap \$16,198)

* per person / per day

Accreditation

The Guidelines require tourism industry certification and recognise 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 [TenderLink](https://portal.tenderlink.com/barwoncoast/)
<https://portal.tenderlink.com/barwoncoast/>

This system is **unable to accept applications after the Closing Time of 5pm on Friday 19 January 2024.**

Any questions or requests for further information or clarification must be submitted to the Project Manager in writing, via <https://portal.tenderlink.com/barwoncoast/> BCCM reserves the right not to answer questions received after Friday 12 January 2024.

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 & Appeals Officer.

The Complaints & Appeals Officer is not a member of the Tender Evaluation Committee.

Evaluation process

Following the Closing Time, an Evaluation Team will meet in February 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 EOI's will be evaluated and scored against the Evaluation Criteria specified in this Invitation. If more than four EOI's 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 criterion.
- **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 fail to 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 & Appeals Officer at office@barwoncoast.com.au.

Barwon Coast Committee of Management thanks all applicants for their interest and look forward to receiving high quality EOI's.

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