

# Executive Summary

The Public Land Tour Operator and Activity Provider Licence Reform Project seeks to improve current licensing systems for tour operators and activity providers on public land to encourage a viable, growing nature based industry on public land, and ensure safe and sustainable use of that land, for the benefit of all Victorians. The proposed reforms to the current licensing system are designed to achieve the following six project objectives:

## 1. Improve opportunities for industry investment and security

It is proposed that the licensing system will be revised to provide four licence categories across public land (section 1.1):

- Standard Licence (one year term) – as currently exists, subject to basic insurance and business registration requirements, as well as conditions required by the relevant land manager;
- Charter Only Licence – Charter firms are not currently licensed under the existing tour operator licensing system, but are accessing parks for the purposes of commercial activity.
- Premium Licence (seven year term) – subject to obtaining appropriate industry certification. This is a proposed increase on the current maximum licence term of three years. This licence category is intended to meet industry's needs for greater security and investment opportunity.
- Competitively Allocated Licence – This approach has been used twice in Victoria. It is only used in situations where over-visitation is impacting on natural or cultural values or visitor safety. In such circumstances, land managers restrict the number of licences available for a particular site/activity.

The Paper also proposes that Premium and Competitively Allocated Licences may be transferred, subject to specified conditions. The proposal will allow licensees to realise the investment required to obtain an extended term licence (section 1.2).

## 2. Create a simpler and more efficient licensing system

Current legislative definitions of who requires a licence to conduct commercial tourism and recreation activities on public land is not sufficiently clear, limiting the effectiveness of the licensing system. Other matters affecting efficiency of the licensing system are the inconsistent application of licence conditions by different land managers and the level of fees charged for licences. The Paper proposes:

- That all business entities, organisations (except registered schools) and individuals undertaking commercial activities associated with recreation, tourism and education on public land are required to hold a licence (section 2.1);
- A number of initiatives to improve the consistency of conditions attached to licences issued by different land managers (section 2.2);
- Review of the current fee structure, to achieve greater cost-recovery for land managers, and equity between different levels of tour operator and activity provider businesses (section 2.3).

## 3. Encourage higher operating standards

Licensees who apply for the current maximum licence period of three years may only do so on the basis of having acquired appropriate industry certification. Relevant certification will be a requirement for obtaining the proposed new Premium Licence.

Only those certification programs that deliver competencies required by land managers, such as environmental and cultural understanding, and activity safety and competence, will be recognised in the licensing system (section 3.1). Standards or qualifications other than certification programs will also be considered as methods of demonstrating relevant competency in order to obtain a Premium Licence (section 3.2).

#### 4. Improve management of capacity – both environmental and visitor

The nature of many recreation and tourism activities confines them to specific locations. Highest visitation therefore is likely to be focussed around sites that offer a particular experience or are convenient to access, and may lead to environmental pressures or safety concerns. The Paper proposes the following hierarchy of management tools be available for land managers to address capacity issues, in consultation with industry and visitors:

- Identification and management of 'hotspots' (section 4.1);
- Managing capacity through better booking systems (section 4.2);
- Managing capacity through competitive allocation of licences, as a last resort (section 4.3);
- Addressing latent or unused capacity in licences (section 4.4).

#### 5. Improve compliance with licensing requirements

Legislative provisions provide specific offences and penalties for breaches of licences, conditions of licences, and failure to obtain a licence. Enforcement of these provisions has been limited, partly due to the size of the public land estate, as well as ambiguity around who requires a licence. The paper proposes a number of initiatives to improve compliance with the licensing regime, including:

- Working with the tourism industry to promote licensed operators, and to actively discourage promotion of unlicensed operators;
- Building incentives to encourage greater take up of licences;
- Review of offence and penalty provisions across relevant Acts to ensure they are comprehensive, adequate and consistent;
- Ensuring licence conditions remain enforceable (sections 5.1 & 5.2).

#### 6. Manage all organised groups in an appropriate and equitable manner.

Commercial tour operators and activity providers are required to obtain a licence to operate a business on public land, and are subject to terms and conditions in order to minimise potential environmental impacts and safety risks of tours and activities.

The Paper does not propose that private recreational groups or individuals visiting public land are regulated or licensed, apart from the park and reserve regulations that apply to all users. However, it is recognised that improved communication, education and enhanced management of specific sites, may benefit all Victorians by seeking to minimise environmental impacts and maximise community safety (sections 6.1 & 6.2).

The Directions Paper is an opportunity to comment on the proposed reform of the tour operator licensing system. Questions have been highlighted throughout the document to prompt your response, or you may wish to comment on those proposals of most interest to you. Your comments will be carefully considered, and will assist in finalising a policy on tour operator licensing.



PHOTO BY JON NASH. TOURISM VICTORIA

# How To Make a Submission

This Directions Paper has been distributed to:

- All industry organisations represented on the Project Reference Group for wider circulation amongst their members;
- All businesses and/or individuals that have registered their interest in this project by sending an email to [licence.reforms@dse.vic.gov.au](mailto:licence.reforms@dse.vic.gov.au);
- All Parks Victoria licensees.

It is also available on the Department of Sustainability and Environment's website ([www.dse.vic.gov.au/licencereforms](http://www.dse.vic.gov.au/licencereforms)).

The Directions Paper is an opportunity to comment on the proposed reform of the tour operator licensing system. Use the questions highlighted throughout the document to prompt your response or comment on proposals of most interest to you.

Your feedback on this paper will be carefully considered and will assist in finalising a policy on tour operator licensing.

You can provide feedback in the following ways:

1. If you are a member of one of the industry organisations represented on the Project Reference Group<sup>41</sup>, forward your comments to them so they can provide a response that reflects your interests. Some industry groups may even run workshops for their members to discuss some of the scenarios presented in this paper.
2. Email your comments directly to the project team at: [licence.reforms@dse.vic.gov.au](mailto:licence.reforms@dse.vic.gov.au).
3. Post your comments directly to the project team at:

**Tourism and Recreation Policy and Projects  
Department of Sustainability and Environment  
Level 2, 8 Nicholson Street  
East Melbourne, VIC 3002**

## **Submissions must be received by Wednesday 29 March 2006.**

The information you provide will only be used for the purpose of the review, which may include its disclosure to other relevant Government agencies as part of the overall review process. All responses will be treated as public documents and may also be placed on the Internet for public access. Formal requests for confidentiality will be honoured, however Freedom of Information access requirements will still apply to submissions treated as confidential. If you wish to access information in your submission once it is lodged with the Department you may make a request by contacting the project team.

If you haven't already done so and would like to receive e-mail updates directly from DSE, please send an e-mail to: [licence.reforms@dse.vic.gov.au](mailto:licence.reforms@dse.vic.gov.au) to register your interest.



PHOTO: VICTORIAN OUTDOOR EDUCATION ASSOCIATION

<sup>41</sup> The Project Reference Group is comprised of Tourism Alliance Victoria, Camping Association Victoria, Outdoor Recreation Centre, Victorian Outdoor Education Association, Bus Association of Victoria, Victorian National Parks Association, Mt Buller Resort Management Board, Phillip Island Nature Park and the Great Ocean Road Coast Committee of Management.