



Titirangi Farm Park Concession Opportunity: Tender Document

PROCESS UNDER s17ZG(2)(a) OF THE CONSERVATION ACT 1987 TO INVITE TENDER APPLICATIONS FOR STOCK GRAZING, OPERATION OF PUBLIC ACCOMODATION AND CAMPGROUND AND MANAGEMENT OF BUILDINGS, STRUCTURES AND CHATTELS WITHIN THE TITIRANGI FARM PARK.

1. INTRODUCTION

Purpose

- 1.1 An opportunity has arisen for those parties who have submitted a formal Expression of Interest, to put forward Tender Applications to carry out the above concession activities within parts of the Titirangi Farm Park Recreation Reserve. The intention of this document is to provide context for this opportunity and guidelines for the process.

Context

- 1.2 This process is being run under section 17ZG(2)(a) Conservation Act 1987, which enables the Minister of Conservation (“the Minister”) to tender the right to make an application, invite applications or carry out other actions to encourage specific applications for this activity.

Location and Administration

- 1.3 Titirangi Farm Park is a recreation reserve administered by the Department and held under the Reserves Act 1977 (“Reserves Act”). The Farm Park is in the outer Pelorus Sound in the northern reaches of the Marlborough Sounds, 125 km north of Blenheim as illustrated on the map in Appendix B.
- 1.4 The Land available for the tender opportunity is approximately 358 hectares of the larger Titirangi Farm Park which is approximately 900 hectares.
- 1.5 The Land is administered by the Department of Conservation from its Waitohi Picton Office.
- 1.6 Tender Applicants should note that the Department reserves the right to exclude small parcels of land during the lease period should the Department’s statutory responsibilities for the parcel’s cultural, historic or natural values require us to do so.



Access

- 1.7 Access is via a road from Havelock to the property. Vehicle travel time from Havelock to the Farm Park is approximately 2 hours.

Legal Description of the Land

- 1.8 Those parts of the Titirangi Farm Park shown on the map in Appendix B.

What is Being Offered?

- 1.9 The Department invites Applicants to submit Tender Applications to apply for a concession to;
- carry out farming operations including use of the homestead, grazing of sheep and cattle on approximately 358 hectares of grazing;
 - provide public accommodation within the shearers' quarters; and
 - operate a public camping-ground.
- 1.10 The concession will include use of the existing buildings, fixtures and chattels.
- 1.11 Applicants need to be aware that the tender process will only allocate the right to apply for a concession from the Minister of Conservation. The successful Applicant must make a formal application under Part 3B of the Conservation Act 1987 and this will be considered by the Minister. The fact that this tender process is being conducted is in no way to be taken as an indication that a concession will be granted. The Minister will make that decision under Part 3B of the Conservation Act 1987 and the Minister's decision will be separate from this Tender Process.
- 1.12 In broad terms there are three separate decisions for the Minister to make:
- Whether to accept any tender application as part of this Tender process; and
 - Whether to invite a tender applicant to apply for a concession and, if so, which applicant; and
 - Whether to subsequently grant a concession to that Applicant.

Legal and Planning Considerations

- 1.13 The Titirangi Farm Park is a recreation reserve held under section 17 of the Reserves Act. That section requires the reserve to be managed for the following general purposes:
- For recreation and sporting activities;
 - Physical welfare and enjoyment of the public; and
 - Protection of the natural environment and beauty of the countryside with emphasis on retention of open spaces and outdoor recreational activities including recreational tracks.
- 1.14 A copy of the full wording of s.17 is provided in Appendix D.
- 1.15 In addition to the statutory controls created by section 17, the planning requirements of the Nelson Marlborough Conservation Management Strategy 1996 are also relevant.



- 1.16 The Strategy contains a number of provisions which address farm parks specifically and activities such as grazing and recreation more generally.
- 1.17 Parks are defined in the Strategy as reserves managed for recreation and pastoral purposes.

Balancing Farm and Conservation

Farm management requirements will be taken into account in achieving the conservation objectives associated with the Farm Park. However, the Farm Park must be primarily managed to:-

- a) protect and enhance public enjoyment and access;
 - b) protect natural values; and
 - c) protect historic values.
- 1.18 Management practices within the Farm Park must also ensure that historic sites, landforms, landscape features are protected, and that patterns of vegetation and open space qualities are retained.

Cultural Values

- 1.19 Ngāti Kuia describe Tītīrangī as a take tupuna or a place of ancestral land occupation and use. It lies in the shadows of two significant Ngāti Kuia maunga and there are several pā sites (including a sentry pā), urupā and kainga in the general area. Tītīrangī is also an ara or a main travel route across the top of the Sounds and as such would have been an important gathering place. It was a cultivation site and the closest mainland location to nearby Tītī island.
- 1.20 The name Tītīrangī itself is said to come from a Ngāti Kuia ancestor's exclamation about the multitudes of Tītī in the sky; thus Tītī-rangi (Meihana & Smith, 2017).
- 1.21 A parcel of land within the greater Farm Park was returned to Ngāti Kuia in accordance with the Deed of Settlement dated 23 October 2010 and implemented by the Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014 (Section 1 SO 433149).
- 1.22 Ngāti Kuia record that *"We have a responsibility and obligation to this place and its cultural, spiritual, historic and/or traditional values"* (Statutory Acknowledgments, 2014, p.33).
- 1.23 Ngāti Toa have interests in the area particularly in the outer Pelorus Sound and the Chetwode Islands at the beginning of Te Hoiere/Pelorus Sound; the other main source of Tītī in the area along with the Tītī islands. The area retains its significance for Ngāti Toa as there are wāhi tapu in the wider Pelorus Basin (Statutory Acknowledgments, 2014, p.149). However, there is no particular mention made of the Tītīrangī area. ‘
- 1.24 Ngāti Apa have important interests in Te Anamāhanga/Port Gore and at Tarakaipa Island in Tennyson Inlet and Ngā Whatu-kai-pono/The Brothers Islands so whilst their interests lie in the outer sounds, they are not specifically located at Tītīrangī.



- 1.25 A right-of-way easement concession to Ngati Apa crosses over the grazing lease area on the Port Gore side and goes to Ngati Apa's private land as shown on the Map in appendix B.

Section 4 of the Conservation Act

- 1.26 The Minister is required by section 4 of the Conservation Act to give effect to the principles of the Treaty of Waitangi. This includes ensuring that iwi must be well informed about the opportunity and that their interests are actively protected. Engagement with them is mandatory so that the decision maker is informed of the nature of their interest and their views on the application. The information received will be factored into decision making prior to and after any concession is granted.

Historic Values

- 1.27 Titirangi Farm Park has some of the earliest dated human occupation in New Zealand (before 1200 AD) and has high historic values including some archaeological sites that must be maintained and/or restored and interpreted in alignment with these values. Titirangi is a high priority site for active management of historic resources.

Public Access

- 1.28 Farm Park management must enhance opportunities for public recreation and will require public access by foot over the licensed area. Open space recreation and camping facilities are to be maintained and adequate provision of recreational hunting access must be allowed for.

The Tender Opportunity

- 1.29 The Minister is inviting Applicants to tender for the opportunity to apply for a concession in respect of the following activities. Note: the term is yet to be determined the Minister anticipates applications for 10 years or longer.
- 1.30 A lease, or leases, of the following areas (as marked on the plan in Appendix B) for the purposes described below:
- a) The homestead, laundry/garage – for accommodation purposes and in order to support the wider concession activities.
 - b) The shearers' quarters – for the accommodation of paying members of the public and for accommodation of shearers carrying out shearing on the Farm Park.
 - c) Woolshed and stock yards – for purposes directly connected with the management of the sheep, cattle and other approved stock (if any) kept on the Titirangi Farm Park by the concessionaire.
 - d) Camping-ground and ablution block – for accommodation of paying members of the public.
 - e) Implement shed and concrete manure bin – for the storage of vehicles and equipment associated with management of the Farm Park by the concessionaire.
- 1.31 A licence of approximately 358ha (as marked on the attached plan in Appendix B) for the purposes described below:
- a) Farming of sheep and cattle and activities ancillary to the farming of sheep and cattle.



- b) Farming of other stock (if any) that may be approved by the Minister and activities ancillary to the farming of those animals.
- c) Activities connected with the proper management and operation of the leased areas described above and the visitors to those areas.
- d) Any other activities associated with the protection and maintenance of the archaeological areas
- e) Any other activities that may be approved by the Minister of Conservation as a result of this Tender process.

Buildings/Structures on the Land

1.32 The existing structures and buildings located on the land are:

- a) Bungalow-style homestead, 1920's, 244 m2 plus porches, weatherboard, iron roof
- b) Shearers quarters, 90m2, iron roof and weatherboard.
- c) Woolshed, 370 m2, weatherboard, iron roof
- d) Implement shed/workshop, 50 m2, wood, iron roof
- e) Manure bin, 44 m2, concrete block with corrugated iron roof
- f) Laundry/garage, 60 m2, iron walls and roof
- g) Camping-ground ablution block, wood, iron roof
- h) Sheep and cattle yards
- i) Fencing and gates
- j) Water supply/sewerage system

Residential Tenancies Act 1986

1.33 It is anticipated that Applicants may wish to use the homestead, the curtilage around the homestead and the laundry/garage for residential purposes. They may wish to accommodate themselves and their families or their staff and the families of those staff. Alternatively, the Applicants may envisage offering these buildings for temporary accommodation to paying members of the public or for some other commercial use tied to the management of the remainder of the land. Some arrangements will result in the Residential Tenancies Act applying while others will not due to the exemptions provided by s5 of that Act.

1.34 Because the Residential Tenancies Act contains very specific rights, obligations and expectations on landlords and tenants it may be necessary to create a linked, but separate, lease of the homestead, its curtilage, and the laundry/garage. If a standalone lease is required for the homestead it is anticipated that the lease would take the form of a periodic tenancy and the lease contract would generally conform with the template located on the Tenancy Services website (<https://www.tenancy.govt.nz/assets/Forms-templates/residential-tenancy-agreement.pdf>).

1.35 The draft Concession which appears in Appendix C treats the homestead as though the Residential Tenancies Act does not apply. Further amendment to the draft concession would be required to reflect the alternative uses of the homestead and laundry/garage that the successful Applicant may wish to make.



Obligations to maintain Buildings/Structures/Chattels

- 1.36 Before the concession activity commences, the Minister and the approved Concessionaire will perform an inspection of buildings, structures and chattels (if any) to determine, agree on and document (in the form of a Condition Report) their current state. The Condition Report will be evidence of the condition of the premises at the commencement date of the concession.
- 1.37 If the Residential Tenancies Act applies to the Homestead, the Department would maintain the homestead to the degree required by that Act along with all building services associated with the homestead. This would include maintaining the Homestead in good order and repair and weatherproof.
- 1.38 The Concessionaire would maintain and keep all buildings/structures (b) – (J) including the interior of the buildings in the same clean order, repair and condition as they were at the commencement date of the concession save for wear and tear caused by the concessionaire’s reasonable use. The Concessionaire may be expected to paint the interior of the buildings (a) (b) and (f) and (g). The Concessionaire will also be responsible for upgrading or altering any buildings, structures or facilities that need to be improved in order to facilitate the Concessionaire’s intended uses. See the draft Concession contract attached in Appendix C for an indication of the likely expectations.

Monitoring

- 1.39 The Land, buildings, structures and operations carried out by the Concessionaire will be monitored regularly to ensure that the conditions of the concession are met. Monitoring will also consider the extent to which the natural features (including landforms and landscape), historic and archaeological sites/values, and recreational values are being protected.

Annual Management Planning

- 1.40 The concessionaire will be required to undertake on-site annual planning meetings with DOC staff. During those meetings they will discuss what work is required for the forthcoming year in relation to the farming activities and accommodation. The concessionaire will assist those discussions by providing a draft management plan for the year ahead prior to the onsite meeting. DOC staff will review the plan and make any changes that are reasonable in the circumstances. The Concessionaire will need to comply with the obligations imposed on the concessionaire by the finalised management plan.
- 1.41 The concessionaire will also need to provide a report each year describing how it has met the requirements of the previous year’s management plan.

Carrying Capacity of Land

- 1.42 Please note that the land has previously carried the following stock numbers: (estimates are for your reference only - land conditions may vary)
- a) 1550 ewes
 - b) 450 replacement hoggets
 - c) 70 in-calf cows



- d) 25-30 replacement heifer calves

Grazing Restrictions

- 1.43 21.8 hectares of land as shown on the map in Appendix B contains a number of archaeological sites. Within this area only sheep may be grazed and no digging, cropping, ploughing or any modifications are likely to be allowed. Elsewhere, stock is restricted to sheep and cattle, other stock could only be considered on a case by case basis where this was compatible with public access needs and by approval from the Minister.

Fertiliser

- 1.44 The Concessionaire is required to fertilise the soil in accordance with annual soil fertility reports, which the Concessionaire would be responsible for obtaining.

Other Activities

- 1.45 Other Farm Park activities may be allowed where consistent with the Nelson Marlborough Conservation Management Strategy 1996. The Minister also retains the right to consider retiring parts of the Farm Park from grazing for potential regeneration of native species.

Commencement

- 1.46 Any new concession(s) is expected to commence shortly after the concession(s) is approved on a date negotiated and amenable to both parties. Please note the application for a concession will require public notification.

2. DEFINITIONS

2.1 In this document, unless the context requires otherwise:

“Applicant” means any person(s) or legal entity submitting a Tender for consideration by the Department as per the terms of the Document and Process.

“Application” means any duly submitted Tender Application.

“Concession Fee” means the annual activity fee (akin to an annual land rental) an Applicant would pay to use the Land if granted a concession.

“Conditions of Process” means the conditions as set out in this Document relating to the conduct of the Tender Process.

“Department” means the Department of Conservation.

“Document” means this invitation to submit a Tender, the Conditions of Process, the Tender Application Form and Information Sheet and any responses from the Minister.



“Land” means the land described in section 1 of this Document.

“Notice of Amendment” means any notice or communication issued by the Minister or the Department making any amendment to the Documents.

“Offer” has the same meaning as “Application”.

“Process” has the same meaning as “Tender”.

“Tender” means the invitation to apply and the process of selection of a successful Applicant as described in these Documents.

“Tender Form” means the application form at Appendix A to this document, along with any other information submitted by the Applicant in support of their application through this process.

“Tender Lodgement Fee” means the fee set out at in section 4 of this Document which must be submitted with any Application under this Tender Process.

“Tender Process” has the same meaning as “Tender”.

“Validity Period” means a period of 20 working days from the Tender Closing Date during which the Tender is to remain open.



3. CONCESSION

Draft concession

- 3.1 A draft concession has been provided in Appendix C. This draft is intended as a guide only. Amendments and additions to the draft are likely to be required. As noted earlier, it may be necessary for the Applicant to apply for more than one concession particularly if the Applicant wishes to use the homestead in a way that results in the Residential Tenancy Act 1986 applying.

Term of the concession

- 3.2 It is anticipated the concession will be in the form of a combined lease and licence commencing in 2021. The term is yet to be determined, the Minister anticipates applications for 10 years or longer.
- 3.3 The Minister of Conservation would have the ability to terminate the concession under terms specified in the Concession, please see Appendix C for the draft contract. Schedule 2, clause 19 contains the standard lease/licence concession conditions regarding termination.

Legal and Planning framework

- 3.4 Section 59A of the Reserves Act allows the Minister to grant concessions in respect of recreation reserves such as Titirangi Farm Park. The process set down in Part 3B of the Conservation Act 1987 is to be followed. The application for a concession (s) will be publicly notified. The content of the draft concession in Appendix C may be altered to reflect the feedback received from the public.
- 3.5 Any concession application will need to demonstrate that it complies with Nelson Marlborough Conservation Management Strategy 1996. A copy of that document is available on the Department's website at <https://www.doc.govt.nz/about-us/our-policies-and-plans/statutory-plans/statutory-plan-publications/conservation-management-strategies/nelson-marlborough/>.
- 3.6 The Minister and staff of the Department are required to give effect to the principles of the Treaty of Waitangi when carrying out their functions. This obligation applies throughout the Tendering process and during the processing of any concessions. As a minimum, it requires active consultation with relevant Iwi before any new lease/licence is granted. The feedback received from Iwi may, for instance, alter the content of any final concession the Minister may grant.

Climate Change

- 3.7 The Farm park concession activities will emit greenhouse gases that will contribute to climate change. The 2050 target for emissions reductions in the Climate Change Response Act 2002 is relevant in assessing concession applications.
- 3.8 Reducing greenhouse gas emissions requires measuring the emissions of activities, developing and implementing a plan to reduce those emissions, and if appropriate, offsetting those emissions.
- 3.9 Special conditions are included in the draft concession that enable the Department to require greenhouse gas emissions data from the concessionaire during the term of the concession, and the



ability to amend the conditions to reflect climate change-related legislation and government or Departmental policy. The concession conditions also may, amongst other things, require the concessionaire to measure, manage and reduce the greenhouse gas emissions of the activities.

Other Consents

- 3.10 The granting of a concession in no way releases the Applicant from any other statutory consenting process or requirement, which is the sole responsibility of the Applicant.
- 3.11 It is the Applicant's responsibility to acquaint itself with the Farm Park and to ensure that its proposed uses of the property can be conducted lawfully.
- 3.12 Note, in particular, that activities must comply with the Resource Management Act 1991, the Health Act 1995 (in particular the Camping-ground Regulations 1985), applicable drinking water laws, the Residential Tenancies Act 1986 and the Heritage New Zealand Pouhere Taonga Act 2014.

Health and Safety Requirements

- 3.13 The standard concession conditions (refer to Appendix C) require compliance with the Health and Safety at Work Act 2015 and its regulations and all other provisions or requirements of any competent authority relating to the exercise of the concession. If a concession results from this Tender, the concessionaire would need to have a safety plan in place and comply with that plan and with any safety directions from the Minister.



4. CONDITIONS OF TENDER

Lodgement Fee

4.1 Applicants must pay a non-refundable lodgement fee of \$500.00 plus GST with their Application to offset the costs of conducting this Tender Process.

4.2 The Tender Lodgement Fee should be submitted by way of an internet bank transfer as per the following details:

Department of Conservation

Westpac 03 0049 0002808 000

Reference: Tender - 88918-GRA - Titirangi Farm Park

Proof of transfer must be included with the Application

Documents to be confidential

4.3 This invitation to submit a Tender, the Tender Document, the Tender Application Form, and any responses from the Minister (the Documents) remain the property of the Minister. Applicants may ask for their Documents to be returned in a reasonable condition within a period of up to two months after the closing date of Process. The Documents are confidential and may not be used other than for assessing Applications. However, the obligations on the Department to consult with Iwi may result in aspects of the applications being shared with our Treaty partners. Also, all material held by the Department and the Minister is subject to the obligations under the Official Information Act 1982.

Applicants to inform themselves

4.4 Applicants are expected and assumed to be fully aware of the conditions relating to this Tender Process and the conditions which would be related to the operation of the concession and to have examined the Documents and any other information supplied in writing.

4.5 Before tendering each Applicant will be deemed to:

- a) have inspected the Land and;
- b) have examined the Tender Documents (including the draft concession) and any other information supplied in writing and;
- c) be satisfied, as far as is practicable, as to the correctness and sufficiency of the tender for the services and of the prices stated in their Application.

4.6 The Land will be available for inspection prior to the closing date of this Tender by way of one Open Day. The Open Day date will be notified on the Departments 'Concession Opportunity for Titirangi Farm Park' webpage and to all those who have provided their contact details in regards to this process. It will be up to interested parties to make themselves available to attend on this date. If you have any queries about the open day please contact: Waitohi/Picton Office - 03 520 3002



Applicant's enquiries

4.7 Should Applicants have any questions in relation to the Documents, they may convey these in writing to:

Tender Process – Titirangi Farm Park
Attention: Di Clendon
Department of Conservation
Private Bag 701
Hokitika 7842

OR

Email: dclendon@doc.govt.nz

Subject Line: Tender Process – Titirangi Farm Park

4.8 Written enquiries must clearly and concisely set out what matters require clarification and what further information is sought. Questions must be received, in writing, by 4.00pm, 10 working days preceding the closing date for Tenders. The answers to all questions where possible will be made available in writing on the Departments 'Concession Opportunity for Titirangi Farm Park' webpage and notification sent to all those who have provided their contact details in regards to this process and will subsequently be annexed to, and form part of, the Documents.

Amendments to Documents

4.9 Where any amendment to the Documents is considered necessary by the Minister, a Notice of Amendment will be posted on the Departments 'Concession Opportunity for Titirangi Farm Park' webpage and notification sent to all those who have provided their contact details in regards to this process and will, upon issue, become part of the Documents.

4.10 Where the Minister issues a Notice of Amendment, Applicants have the right to withdraw or modify their Tender Application, considering the Notice of Amendment, and resubmit their Tender within the time specified in the Notice of Amendment.

Tender Criteria

4.11 Tender Applications will be evaluated on their overall merits, based on the Tender Criteria listed in the Tender Criteria Table and the extent to which they give effect to the relevant statutory planning requirements for Titirangi Farm Park.

4.12 A failure to provide the requested information may result in an Application not being considered. The lodgement Fee and Item A are essential information.



4.13 Tender Criteria Table:

	Category	Description
	Lodgement Fee	\$500.00 lodgment fee submitted with application.
Item A	Details of Applicant	<p>All Applicants must include the following information:</p> <ul style="list-style-type: none"> • the Applicant’s company/partnership/individual name • trading name (if applicable) • names of all contact persons • contact addresses – postal and residential • contact phone / mobile numbers • email address • website address • names of persons required to sign documents <p>Applicants who are current concession holders must also include the following details:</p> <ul style="list-style-type: none"> • concession number/s • whether all concession fees are up to date. <p>Applicants should note that under this section if current fees are not up to date, their Tender Application may be rejected.</p>
Item B	<p>i. Applicants Previous Experience and Technical Skills in relation to Farming</p> <hr/> <p>ii. Applicants Previous Experience and Technical Skills in relation to provision of recreation facilities management</p>	<p>The Applicant needs to clearly and thoroughly respond to the following matters:</p> <ul style="list-style-type: none"> • their farm management experience • provide evidence of a good farming track record and their ability to manage land according to industry best practice and standards • their livestock welfare experience and expertise or training in animal husbandry • the stock types and numbers they have currently or previously managed • evidence and examples of any previous experience with campground management, facilities management, heritage protection, cultural engagement, public engagement in a recreation setting • information to demonstrate that they have the necessary resources (including financial, staff experience/qualifications, equipment, plant, etc.) at their disposal to effectively carry out the activities on the Land.



	Category	Description
	ii. Demonstration that the Applicant has the resources to carry out the activity	<ul style="list-style-type: none"> • if they plan to carry out the activity with other parties, an outline of how they expect the parties to work together to achieve the desired outcomes. • any previous concessions held (if any) • any past convictions and/or proceedings and/or investigations under the Conservation Act 1987 or the Reserves Act 1977 <p>Applicants will also need to provide two testimonials from either a farm advisor, or neighbours or landowners from whom they have previously leased land.</p>
Item C	Land Management/ Management of Buildings, Improvements and Chattels and sustainability measures	<p>The Applicant must clearly and thoroughly outline the following information and provide supporting evidence or information where relevant:</p> <ul style="list-style-type: none"> • how they would protect and enhance public enjoyment and access of the Farm Park • how they would protect the Farm Park's natural values • how they would protect and enhance historic values and archaeological values. • how they would manage weeds and pests • what stock types and numbers they intend to run and how they plan to manage the stock • how they will manage the Department's pastures, improvements, buildings and chattels and maintain them in their current condition • how they will operate the camping ground and other accommodation facilities within the Farm Park • their environmental policy (if they have one) including on climate change • how they intend to reduce carbon emissions over the term of any concession • any other aspirations they may have for future management of the Farm Park, for example restoration of vegetation or development of greater recreational opportunities. • how they intend to use the homestead, laundry/garage and who will occupy those buildings so that the Minister can assess whether the Residential Tenancies Act 1986 will apply to the occupation.



	Category	Description
Item D	Applicants relationship with the Land	The Applicant must describe their relationship to this Land and any cultural or historical connections they have to this Land. Discuss how this connection supports their tender Application.
Item E	Iwi Interests	The Applicant must describe how they would give effect to and recognise iwi interests in the land including how they would support those with an ancestral connection to this region in exercising their role as kaitiaki over the land. The applicant must demonstrate an understanding of the significance of the site to tangata whenua.
Item F	Health and Safety	The Applicant must describe how they intend managing health and safety issues on the Land and address likely hazards.
Item G	Tender Bid	<p>There is no minimum tender price.</p> <p>Tender bids will be given a score between 1 to 4 based on the Tender value. 4 being the highest tender price submitted and 1 being the lowest.</p> <p>Tenders submitted should be in the format of \$X plus GST.</p> <p>The Fees for the campground and accommodation are additional to the Tender Bid and are 7.5% of the gross revenue from those activities plus GST</p>

- 4.14 Please note, the accepted tender price will be subject to three-yearly rent reviews.
- 4.15 The Tender Bid relates to the use of the Land and structures for grazing only. Concession fees for the campground and accommodation are additional to the Tender Bid and are 7.5% of gross revenue from the campground and accommodation plus GST. The Department reserves the right to charge processing, management and monitoring fees as part of any the concession granted to the successful Applicant. Processing, management and monitoring fees are likely to be as follows:
- a) One Off Processing Fee: The standard base processing fee for a notified lease/licence is \$3,425.00 plus GST plus the cost of notification. Further processing costs may be incurred for particularly complicated applications involving components such as extra technical/legal/management planning expert advice. A cost estimate will be provided shortly after an application has been received and assessed;
 - b) Annual Management Fee: \$400.00 plus GST per annum;
 - c) Monitoring Fee: \$130.00 per hour plus GST and mileage to be invoiced, if and when required.
- 4.16 In addition, the successful Applicant will be required to pay council rates. Marlborough District Council rates from the 2019/20 year are \$7855.09 plus GST annually. The rates would be reset by



the Councils valuation service provider when the new lease/licence is put in place. Any new rates assessment would take effect from 1 July 2021.

- 4.17 Applicants need to be aware that in addition to the fees above, where the Department provides new services or facilities which benefit a concessionaire the Minister can also seek to recover a portion of those costs from the concessionaires who benefit from them (s17ZH of the Conservation Act 1987).



5. TENDER APPLICATIONS

- 5.1 Each Tender must address all the requirements as set out in the Tender Criteria table above.
- 5.2 Each Tender must be submitted on the Application Form contained in Appendix A. Only Applications which are complete and refer to all the requirements will be considered.
- 5.3 The original copy of the Application must be signed by a duly authorised person appointed by the Applicant.
- 5.4 Applications from a partnership or joint venture must include the full names and addresses of all partners and members of the joint venture. If an Application is signed by one person, that person may be asked to provide evidence of authority to act on behalf of the other partners or members.
- 5.5 Subject to this Document, once submitted, Applications will remain open for acceptance by the Minister for a period of 20 working days from the tender closing date ("the Validity Period") and shall not be capable of being withdrawn or modified except with the written consent of the Minister. The Minister reserves the right to extend the Validity Period upon request from the successful Applicant at its discretion.
- 5.6 Conditional Applications will not be accepted. For the sake of clarity, the Request for Tenders is made strictly on the terms presented in this document. No negotiation on the terms will be entered into.
- 5.7 Applications must be accompanied by the Tender Lodgement Fee. Any Tender response received without the Tender Lodgement Fee will not be accepted.
- 5.8 The cost of preparing and submitting a Tender response will be borne by the Applicant.
- 5.9 Subject to any other lawful requirement, the Minister will not disclose any Tender response submitted, or any correspondence with any Applicant or prospective Applicant, without the prior written consent of that Applicant or prospective Applicant.



6. PROCESS FOR CONSIDERATION OF TENDER APPLICATIONS

6.1 Applications received will be evaluated following the process set out below.

Stage One

- 6.2 All applications will be checked;
- a) That they contain all the information requested. This evaluation is to determine the presence of the information not the quality.
 - b) That the required Tender Lodgement Fee has been paid.
- 6.3 If the Applicants can demonstrate that they have made a reasonable attempt to provide this information that has been requested, their Application will be considered in stage two.

Stage Two

- 6.4 The Department will assemble a panel to assist the Minister to review the Tender Applications that have passed Stage One.
- 6.5 Each Tender Application that has passed Stage one will then be evaluated based on the Tender Criteria Table and the extent to which the application gives effect to the relevant statutory planning requirements. The Department will also be guided in its approach by s4 of the Conservation Act 1987 to give effect to the principles of the Treaty of Waitangi. Tender Criteria B i, ii, and iii and C-F will be assigned a score as follows:

Insufficient Information – 0
Does not satisfy – 1
Somewhat satisfy – 2
Satisfies – 3
Strongly satisfies – 4

Item G: Tender Bid

- 6.6 As noted above tender bids will be given a score between 1 to 4 based on the Tender value. 4 being the highest tender price submitted and 1 being the lowest.
- 6.7 The successful Applicant (if any) will be the Applicant submitting the Tender response which, in the opinion of the Department (and based on the evaluation scores discussed above) presents the best opportunity to manage and protect the values of the Land, including cultural and historic values and which provides a fair market return and/or value to conservation for the activity undertaken on the land.

Due Diligence

- 6.8 In addition to the above, the Department may undertake the following due diligence in relation to Stage Two. The findings will be taken into account in the evaluation process.
- a) Reference checks
 - b) Other checks e.g. Companies Office
- 6.9 The winning Applicant may be offered the opportunity to apply for a concession.



7. CLOSURE OF PROCESS

Post

Applications should be posted to:

Maire Hearty
Department of Conservation,
Private Bag 701
Hokitika 7842

Envelopes should be marked on the top outside left-hand corner “Tender Application – Titirangi Farm Park.”

Email

Applications should be emailed to: permissionshokitika@doc.govt.nz

The subject line of the email should be titled: “Tender Application - Titirangi Farm Park.”

Delivered

Applications may be delivered to:

Department of Conservation
Hokitika office
10 Sewell Street
Hokitika 7810

All applications, regardless of delivery method, must be received by 4:00pm on Monday, 1 March 2021.

8. LATE TENDER POLICY

- 8.1 Tenders received after 4:00pm on Monday, 1 March 2021 will not be accepted unless the Applicant can show the Tender was delivered late due to unanticipated factors beyond the Applicant’s control.

9. ACCEPTANCE OF TENDER

- 9.1 The Minister is not bound to:

- a) accept the highest or any Tender;
- b) give any reason to any person for the rejection or otherwise of any Tender;
- c) complete the Tender Process.

- 9.2 The Minister reserves the right:

- a) to reject any Tender;
- b) to inspect at reasonable times any premises, facilities and equipment of any Applicant as part of the process of assessing the Applicant's ability to meet the Minister’s criteria;



- c) at any time to withdraw the Land or any part of the Land from the Process notwithstanding that Tenders may have been called for and / or received;
- d) at any time to withdraw the Tender or again call for Tenders or consider further applications received in accordance with Part 3B of the Conservation Act 1987.

9.3 The Minister has no obligation whatsoever to compensate or indemnify any Applicant for any expenses or loss that the Applicant may incur in the preparation of their Tender Application. There is no guarantee that any Tender Application will be accepted and/or any concession granted.

9.4 The Minister will give written notice to all Applicants who have submitted bona fide Tender Applications complying with the Documents of the success or otherwise of their Tender. Unsuccessful Applicants may be notified of the name of the successful Applicant and range of prices received.

10. EXTENSION OF VALIDITY OF TENDERS

10.1 If no complete concession application has been received within the Validity Period, each Applicant will be notified in writing whether the Tender is still under consideration.

10.2 Applicants whose Tender Applications remain under consideration shall then provide written confirmation their Tender Application is still open for consideration or may withdraw their Tender Application.

11. OFFICIAL INFORMATION ACT

11.1 The Applicant acknowledges and accepts that the Minister and the Department may be required to release information in accordance with the Official Information Act 1982.

12. PRIVACY ACT

12.1 The Minister requires the consent and authority of the Applicant in order to discuss and verify the Applicant's (and individuals') stated relevant experience with all parties associated with that relevant experience. By forwarding the Tender Application the Applicant waives any claim to confidentiality in relation to the projects listed as relevant experience.

13. NO CONTRACT

13.1 This Tender Process and Conditions of Process contained in the Documents do not constitute a contract between the Minister and any unsuccessful Applicant and do not give an unsuccessful Applicant any rights or cause of action against the Minister.

13.2 No payment shall be made by the Minister to any person for non-acceptance of a Tender Application or non-completion of the Tender Process.



14. SUCCESSFUL APPLICANT

- 14.1 The successful Applicant must submit a concession application form within 20 working days of the notification of the outcome of this Tender Process.
- 14.2 Further processing under the provisions of Part 3B of the Conservation Act will occur to determine whether a concession should be granted to the Applicant. The fact that this Tender Process is being conducted is in no way to be taken as an indication that a concession will be granted. That decision is one for the Minister to make after the Part 3B process has been conducted and is entirely separate from this Tender Process.
- 14.3 Should the successful Applicant not apply for a concession by the expiry of the 20-working day period, unless the Validity Period has been extended then its status as successful Applicant and the right to apply for the concession will lapse. If the opportunity to apply for a concession does lapse, then the Minister may invite the Applicant who scored second highest to apply for the concession opportunity.



Department of Conservation
Te Papa Atawhai

Appendix A
Tender Application



Tender Application

Provide all information requested with detail. If extra space is required for answering, please attach and label according to the relevant section (e.g. Section A.1). The original copy of the Tender Application will be signed by the Applicant or by a duly authorised officer of the Applicant. Applications from a partnership or joint venture shall describe all details of all parties.

A. Tenderer's Details

Tenderer's Name (full name of registered company or individual)					
Legal Status of applicant (tick)	Individual	Registered Company	Trust	Incorporated Society	
Other (please specify full details)					
(for all other than Individual please attach proof of legal status e.g. company registration information; trust deed registration information)					
Trading Name (if different from Applicant name)					
Postal Address					
Street Address (if different from Postal Address)					
Registered Office of Company or Incorporated Society (if applicable)					
Phone		Website			
Contact Person and Role					
Phone		Cell Phone			
Email					
Contact Person and role					
Phone		Cell Phone			
Email					
Details of any Concession held with the Department active or historic (please include concession number)					



Are all fees related to the above concession up to date?

Applicants should note that under this section if current fees are not up to date, their Tender Application may be rejected



B. Previous Experience and Technical Skills and Resources

You need to clearly and thoroughly respond to the following matters and describe in detail:

- your farm management experience
- provide evidence of a good farming track record and your ability to manage land according to industry best practice and standards
- your livestock welfare experience and expertise or training in animal husbandry
- the stock types and numbers you have currently or previously managed
- evidence and examples of any previous experience you have with campground management, facilities management, heritage protection, cultural engagement, and public engagement in a recreation setting
- information to demonstrate that you have the necessary resources (including financial, staff experience/qualifications, equipment, plant, etc.) at your disposal to effectively carry out the activities on the Land.
- if you plan to carry out the activity with other parties, an outline of how you expect the parties to work together to achieve the desired outcomes.
- any previous concessions you have held
- any past convictions and/or proceedings and/or investigations under the Conservation Act 1987 or the Reserves Act 1977

Attach two testimonials from either a farm advisor, neighbours or landowners from whom you have previously leased land.

A series of 18 horizontal grey bars intended for providing testimonials.



A large rectangular area consisting of numerous horizontal grey lines, serving as a template for text entry.



C. Land Management/Management of Buildings, Improvements and Chattels and sustainability Measures

You need to clearly and thoroughly outline the following information and provide supporting evidence where relevant:

- how you would protect and enhance public enjoyment and access of the Farm Park
- how you would protect the Farm Park’s natural values
- how you would protect and enhance historic values and archaeological values.
- how you would manage weeds and pests
- what stock types and numbers you intend to run and how you plan to manage the stock
- how you will manage the Department’s pastures, improvements, buildings and chattels and maintain them in their current condition
- how you will operate the camping ground and other accommodation facilities within the Farm Park
- describe your environmental policy (if you have one) including on climate change
- describe how you intend to reduce carbon emissions over the term of any concession
- describe any other aspirations you may have for future management of the Farm Park, for example restoration of vegetation or development of greater recreational opportunities.
- describe how you intend to use the homestead, laundry/garage and who will occupy those buildings so that the Minister can assess whether the Residential Tenancies Act 1986 will apply to the occupation.

Blank area for providing supporting evidence.



A large rectangular area consisting of numerous horizontal grey lines, serving as a template for text entry.



D. Applicant's Relationship with the Land

Please describe in detail:

- Please describe your relationship to this land and any historical connections you have to this land. Discuss how this connection supports your tender.

A large rectangular area consisting of multiple horizontal grey bars, intended for the applicant to provide a detailed description of their relationship to the land and any historical connections.



Area containing multiple horizontal grey bars, likely representing redacted content or a placeholder for a table.



E. Iwi Interests

Please describe in detail:

- Describe how you would give effect to and recognise iwi interests in the land including how you would support those with an ancestral connection to this region in exercising their role as kaitiaki over the land.

A large area of horizontal grey lines provided for writing a detailed response to the question about iwi interests.



A large rectangular area consisting of 20 horizontal grey bars, serving as a template for text input.



F. Health and Safety

Please describe in detail:

- If you have a health and safety plan in place
- Alternatively, that you can have in one place should a concession be granted
- Detail the hazards which should be addressed in a plan

A large area of horizontal grey lines provided for writing a detailed response to the health and safety questions.



A large rectangular area consisting of numerous horizontal grey lines, serving as a template for text entry.



G. Tender Bid

I _____ tender the total tender price of \$_____ per annum (plus GST) to graze, and to maintain and use the buildings, structures and chattels over 358 hectares more or less of land within the Titirangi Farm Park as described in the Tender Document and shown on the map attached as Appendix B.

I understand that the concession activity fees for the public accommodation and operation of the campground would be 7.5% plus GST of gross revenue from those activities.

Please note, the Department's pricing policy requires a three-yearly review of the Concession Activity Fee

H. Checklist

Please use this checklist as a guide to determine if you have provided all the information required for your tender application.

Required Information for all applicants	<input checked="" type="checkbox"/>
Tender application completed in full	
\$500.00 lodgement fee (cheque or proof of internet bank transfer)	
Two written testimonials included	
Tender submitted on time	

I. Declaration

I certify that the information provided on this tender application form, and all attached additional forms and information, is to the best of my knowledge true and correct.

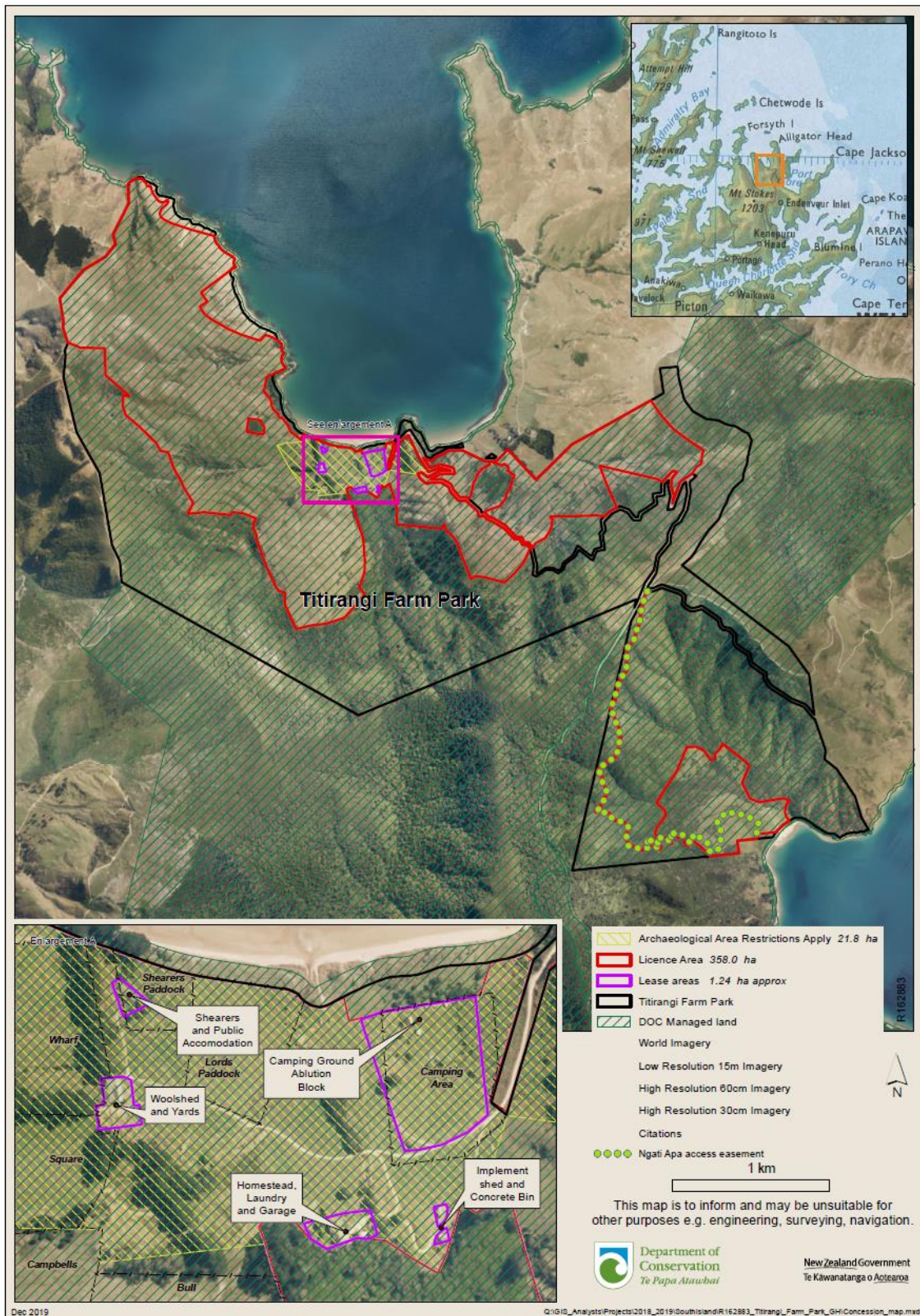
To be signed by all parties.

Signature:		Date:
Name (in full) and Position:		
Signature:		Date:
Name (in full) and Position:		
Signature:		Date:
Name (in full) and Position:		
Signature:		Date:
Name (in full) and Position:		

Appendix B

Map of Location

Map showing area subject to Licence or Lease outlined in Red



Appendix C

Draft Concession

Appendix D

Reserves Act 1977

17 Recreation reserves

- (1) It is hereby declared that the appropriate provisions of this Act shall have effect, in relation to reserves classified as recreation reserves, for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.
- (2) It is hereby further declared that, having regard to the general purposes specified in subsection (1), every recreation reserve shall be so administered under the appropriate provisions of this Act that—
 - (a) the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by sections 53 and 54, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it:
 - (b) where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or that flora or fauna or wildlife shall be managed and protected to the extent compatible with the principal or primary purpose of the reserve:

provided that nothing in this subsection shall authorise the doing of anything with respect to fauna that would contravene any provision of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act, or the doing of anything with respect to archaeological features in any reserve that would contravene any provision of the Heritage New Zealand Pouhere Taonga Act 2014:
 - (c) those qualities of the reserve which contribute to the pleasantness, harmony, and cohesion of the natural environment and to the better use and enjoyment of the reserve shall be conserved:
 - (d) to the extent compatible with the principal or primary purpose of the reserve, its value as a soil, water, and forest conservation area shall be maintained.