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**REQUEST FOR APPLICATIONS FOR**

**BROOK VALLEY HOLIDAY PARK (CAMPGROUND)**

**CLOSING TIME AND DATE: 17:00 hours on WEDNESDAY 13 SEPTEMBER 2023**

**INTRODUCTION**

Nelson City Council (**Council**) is calling for applications to lease the Brook Valley Holiday Park (**Campground**) at Brook Reserve.

This is a unique opportunity to manage a Campground that is nestled in a lush, peaceful valley surrounded by the rush of the river and native birdsong.

The Campground is located on local purpose (outdoor leisure, camping, conservation and education) Reserve and the Lease will be granted in accordance with section 61(2) of the Reserves Act and sections 9 and 17 of the Public Bodies Leases Act 1969.

The Campground adjoins the Brook Waimarama Sanctuary which is the largest fenced pest free sanctuary in the South Island. It is expected that the successful applicant will actively foster a positive relationship with the Sanctuary.

The Campground has 50 powered sites, 59 non-powered sites and 20 cabins available for visitors including space allocated as a relocatable home park for a maximum of 15 long term occupants. Eleven of these spaces are currently utilised providing a steady income stream for the successful applicant.

The successful applicant will also enter into a Management Agreement with the Council for the management and operation of the Campground. The Management Agreement will provide the successful applicant with funds to contribute towards the management, operation and development of the Campground and will set operational requirements that the successful applicant must comply with.

The initial lease and management agreement will be for a term of 5 years, with three rights of renewal of 5 years each.

All applications should explicitly address the assessment criteria contained in Attachment D.

The Council’s decision will be final.

# SUBMITTING AN APPLICATION

**Enquiries**

Please direct enquiries to:

**Paul Harrington**  
**Team Leader Parks and Facilities Activity Management**

**paul.harringon@ncc.govt.nz**

# Site visits are able to be booked on request.

**Closing of Applications**

Applications must be submitted by completing the *Public Application Lease and Management Agreement Form* (Attachment A).

Applicants must be submitted no later than 17:00 hours on Wednesday 13 September 2023.

Applications may be submitted electronically through the *Shape Nelson* page, by email to Paul Harrington (paul.harrington@ncc.govt.nz) or in writing to Nelson City Council, 110 Trafalgar Street, Nelson 7010 and must be delivered before the closing time.

All applications will be evaluated under section 17 of the Public Bodies Leases Act 1969, taking into account all relevant matters, including the purpose for which the Reserve is held as well as the suitability of the applicant to develop and manage the Campground operation.

The Council’s decision will be final.

The Council is not obliged to accept any application and may withdraw the request for applications at any time.

All applicants will be deemed to have:

1. examined the application documents and any documents referred to by the application document and any other information made available by Council for the purpose of the application document and are deemed to have read and understood same.
2. considered all the risks, contingencies and other circumstances influencing their application.

No applicant shall be entitled to reimbursement of any costs (including legal costs) incurred in responding to this application, the preparation and presentation of the response, or in relation to subsequent discussion with Council in any circumstances.

Council is not committed contractually to applicants who respond to this application. The issue of this application does not commit or otherwise oblige Council to proceed to accept any application.

Council reserves the right to decline any or all applications and may withdraw this application at any point.

# LEASE AND MANAGEMENT AGREEMENT

1. The use and occupation of the land will be solely in terms of a lease with Council in accordance with the relevant provisions of the Public Bodies Leases Act 1969 and the Management Agreement.
2. The successful applicant will be required to manage and operate the Campground in accordance with the Lease and Management Agreement as consistent with the classification of the underlying reserve land and may not be used for any other purpose.

# Where any provision of the application document conflicts with the Lease and Management Agreement, the Lease and Management Agreement will prevail.

# Where an application is on behalf of a company or other incorporated entity the Council reserves the right to require a personal guarantee from a guarantor acceptable to Council.

# Employees in a category specified in Schedule 1A of the Employment Relations Act 2000 (vulnerable employees) includes cleaners and if the successful applicant wants to change contracts, they will need to comply with the obligations related to vulnerable employees under that Act.

**Attachment A**

**LEASE AND MANAGEMENT AGREEMENT APPLICATION FORM**

This form is to be used by all applicants submitting an application.

By completing this application, you are applying to lease land from Nelson City Council, in order to manage and operate the Campground on the terms as contained in the Lease at Attachment B and Management Agreement at Attachment C, including the specified rent and management fee.

Please complete the below sections and attach any supporting material to support your application and address how you will comply with the Assessment Criteria in Attachment D to this application form.

|  |  |
| --- | --- |
| **Section 1: Applicant contact details** | |
| **Applicant name** |  |
| **Main point of contact** |  |
| **Email** |  |
| **Mobile** |  |
| **Address for service** |  |

**Applicants Declaration**

I/we are authorised to make this application. I/we declare that we are not bankrupt nor have been bankrupt or placed in receivership or liquidation in the last 5 years. I/we accept the terms of the Lease and Management Agreement.

**Signed by**

|  |  |
| --- | --- |
| Name: |  |
| Signature: |  |
| Position: |  |
| Date: |  |

**Attachment B**

**LEASE**

Refer: <https://shape.nelson.govt.nz/download_file/4873/1315>

**Attachment C**

**MANAGEMENT AGREEMENT**

Refer: <https://shape.nelson.govt.nz/download_file/4874/1315>

**Attachment D**

**EVALUATION CRITERIA**

1. Applications will be assessed in accordance with the Public Bodies Leases Act 1969, which requires the Council to inquire into all matters affecting an applicant’s suitability. Also, in determining which applicant is the most suitable, the Council is required to take into account all relevant matters including:
   1. The purpose for which the land is suited or intended to be used; and
   2. The ability, having regard to their financial resources and other relevant matters of any kind whatsoever, of each applicant to use the land for the purposes for which it is suited or intended to be used.
2. Without limiting the provisions of section 17 of the Public Bodies Leases Act 1969, your application is expected to address the Assessment Criteria (below) and will need to be accompanied by professional reports and/or advice, the nature and extent of which will be up to the discretion of the applicants. Council reserves the right to approach applicants to provide more information but is not obligated to do so.
3. **Assessment Criteria**
4. **The capability of the applicant to maintain and operate a Campground, including but not limited to** –

i) Your relevant experience in managing and operating a Campground (or similar business operation) and/or managing and operating accommodation for long term occupants.

**Weighting = 40%**

1. **The financial capability of the applicant, including but not limited to** –

i) Evidence of your ability to access the financial resources required to operate and manage the Campground in accordance with the Lease and Management Agreement.

**Weighting = 20%**

1. **Range of benefits offered to the community including but not limited to** –

i) Tangible benefits to Brook Waimarama Sanctuary and the wider community.

ii) Proposed initiatives to promote the purposes for which the reserve is held (outdoor leisure, camping, conservation and education).

iii) Forecasted employment opportunities for the local community, including the nature of the roles and number of FTEs.

iv) Direct and flow-on benefits to local business.

**Weighting = 40%**

Council reserves the right to not accept any or all applications.