

# Request for Expression of Interest (REOI) Management and operation of Kellys Bay and Glinks Gully Campgrounds



**Closing date: 17 November 2023**



Kaipara te Oranganui • Two Oceans Two Harbours



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# **Part A**

## **Background and Indicative Expression of Interest (REOI) Programme**

## Part A – Background and Indicative Expressions of Interest Programme

### 1. Background

The Kaipara District Council (Council) provides a large and diverse portfolio of campgrounds. These range from large high revenue generating iconic campgrounds such as those at Kai Iwi Lakes and Mangawhai, through to smaller local reserve campgrounds often adjacent to community halls such as those at Pahi, Tinopai, Kellys Bay and Poutō. All these campgrounds have been valued by generations of campers over many years as well as contributing positively to the wider opportunities available for visitors to the Taitokerau region.

Most Council-owned camping grounds are on reserve land managed under the Reserves Act 1977. Several of these were historically managed by domain boards. They predominantly comprise old-style kiwi campgrounds used and loved over generations predominantly by New Zealanders.

Kaipara District has a diverse range of coastal locations, ranging from the sheltered tidal beaches around the margins of the Kaipara Harbour, surf beaches of the West Coast, the estuary and surf beach of Mangawhai as well as the stunning Kai Iwi Lakes. The area is therefore a favoured destination for holidaymakers. The campgrounds in these areas provide a great holiday base for Kaipara residents and visitors from Auckland and beyond to enjoy a range of water sports, walking, biking or to simply relax.

In recent years, international visitors have also become significant users of some of the Council-owned campgrounds such as Kai Iwi Lakes, although this pattern was interrupted by the arrival of Covid-19 in 2020 when international borders closed. Tourist arrivals have since been steadily rising but are not yet back to pre-Covid levels.

#### 1.1 Glinks Gully Campground

##### Campground assessment

A small and basic campground with 'tired' facilities frequented by regular users over the summer months of operation. Of lower importance but valued by the local community. It is located adjacent to a key entry point to the beach and is close to the developing Poutō link section of the NZ Cycle Trail. It's importance and value may enhance with improvement actions.

The Glinks Gully Campground has been managed through a range of management arrangements since the Council became responsible for its operations. However, throughout the campground's life and management the assets and improvements have been owned by Council.

#### 1.2 Kellys Bay Reserve Camp

##### Campground assessment

This is a more basic campground than others but has still been valued by a core group of regular campers over many years, as well as by passing tourists. Being located on Council-administered reserve adjacent to Kellys Bay, and partway down the Poutō peninsula, it is well located to provide for any increased visitor traffic arising from the 'Poutō Link' cycle trail development and other developing tourism attractions in the area.

Up until 31 March 2023 the Kellys Bay Improvement Society had operated the campground. This included development and maintenance of improvements on the reserve.

### Constraints/legal obligations of current future operations

Local Government Act 2002	The Local Government Act specifies minimum requirements for consultation, processes for new or additional financial expenditure and processes for planning and budgeting for renewal or capital development.
Council's Treasury Policy	Council's portfolio of campgrounds is expected to operate at no cost to ratepayers.
Maintenance responsibilities	As the campgrounds have a relatively high number of built assets in fair to poor condition, the associated costs of reactive maintenance are increasing.
Capital funding	Capital funding for renewal, replacement and or new improvements is also required.
Legal descriptions	Kellys Bay Campground is situated on the reserve described as Section 40 TN of Poutō, SO 44235.  Glinks Gully Campground is situated on the reserve described as Part Allot 141 PSH of Kopuru DP 510707, SO 2814.
Camping-Grounds Regulations 1985	The act sets minimum requirements and standards for the operation of campgrounds.
Private capital	There are limited opportunities for private capital development in the current arrangement.
Incentives to drive performance	Other campground management arrangements have provided opportunities through incentives for the operator to drive the businesses financial performance.
Investment risk	There may be a risk of overcapitalising on assets without a clear vision of how the campgrounds will be managed, maintained or developed in a businesslike manner.

## 2. Management Options

### 2.1 Expected Campground Outcomes

In determining how the future service delivery of the campground could occur, the desired outcomes that are expected of the campgrounds operation need to be understood.

The Council's Long-Term Plan 2012/2022 describes where Council wants to be with its Community Spaces, its reserves, open spaces and facilities to be provided to meet the current and future needs of the local and wider district communities. Council's open space areas assist in achieving the Council's

and community wellbeing and outcomes of social, economic activities. It has long been recognised that while the campgrounds contribute directly to key community outcomes it also contributes to a number of other tangible and intangible outcomes to the community.

Council is now reviewing how best to continue operations of the campgrounds at Glinks Gully and Kellys Bay and has decided to invite Expressions of Interest from commercial operators or community organisations for their management.

## 2.2 Potential operations that may be considered

There is a range of options available for how the campgrounds could be managed and developed in the future. Options available include:

- **Management arrangement**  
Contractual arrangement, whereby Council engages a management entity to run the campground and to undertake routine management of the assets.
- **Council leases out the Campground/retains management of assets**  
Council leases out the campground, but retains ownership and responsibility for the maintenance, renewal and development of assets.
- **Council transfers the camp assets and leases the land to an operator**  
Council transfers the improvements to a lessee and the management rights as a going concern to a lessee.
- **Public Private Partnership**  
Council enters into a partnership with a recognised operator where risks and funding are appropriately managed, and assets and improvements are vested to Council at the end of the Partnership contract.
- **Combination**  
A combination of some of the above or other options acceptable to Council as identified by the Participant.

## 3. Aims and Objectives of Request for Expression of Interest (REOI) process

The aim of the Kaipara District Council in this EOI process is to identify viable options that will deliver the best value to the Kaipara District in the long term and to understand what potential providers or partners are able to support Council in achieving its objectives.

The Expression of Interest process is being undertaken on the basis set out in Part B of this document.

## 4. Indicative REOI Programme

The following is an indicative EOI programme that Kaipara District Council presently intends to follow. Kaipara District Council may modify the steps and/or dates at any time at its discretion including terminating the process.

Note that time has been allowed for Participants to meet with Council staff and view the existing operation.

#### 4.1 REOI Programme

<b>Activity</b>	<b>Date(s)</b>
Issue Request for Expression of Interest (REOI)	<b>20 October 2023</b>
Acknowledgment Forms returned by interested participants	<b>27 October 2023</b>
Meet with REOI Participants for briefing, site visit and clarification of any questions (if requested)	<b>02 November 2023</b>
Closing date for supplier feedback/ clarifications	<b>10 November 2023</b>
Closing date for receipt of EOI responses	<b>17 November 2023</b>
Evaluation period commences	<b>20 November 2023</b>
Supplier interviews (if required)	<b>22 November 2023</b>
Preferred options identified (if any)	<b>27 November 2023</b>
Evaluation period concludes	<b>30 November 2023</b>
Participants advised of outcome	<b>04 December 2023</b>

# **Part B**

## **REOI Requirements**



## Part B – REOI Requirements

### 5. Value for money

The purpose of this Request for Expressions of Interest (REOI) process is to identify viable options that will deliver best value to the Kaipara District Council in the long term and to understand what potential providers or partners are able to support Council in achieving its objectives.

### 6. Acknowledgement

The Participant is required to acknowledge receipt of this EOI and to agree to the basis upon which the EOI process is being undertaken by completing the Acknowledgement Form attached as Part D Schedule 4 to this EOI and returning it to the address set out on the form by 5.00pm 27 October 2023. The Participant shall advise on the Acknowledgement Form the name and address of the person(s) authorised to communicate with Kaipara District Council on behalf of the Participant in relation to this REOI. The Participant acknowledges that Kaipara District Council shall not be obliged to deal with any person(s) other than the person(s) so authorised.

#### Participant to inform themselves fully

Every EOI submission must be made on the basis that the Participant acknowledges that

- (a) This REOI does not and does not purport to contain all the information that Participants may need in making decisions about or relating to its EOI submission; and
- (b) Kaipara District Council is not responsible for any costs or expenses incurred by the Participant or any other person in responding to or taking any other action in relation to this REOI.

The information provided in this REOI, and the requirements and obligations detailed in the Services are based on assumptions made by Kaipara District Council about future campground management requirements, which may or may not prove correct in practice. Future campground management requirements may vary significantly from current and historical requirements. The Participant must make, and base, any EOI submission entirely on its own independent assessment of future campground management requirements and opportunities.

Any information whatsoever provided by Kaipara District Council to Participants has been provided to assist Participants in preparing the EOI submission, and Kaipara District Council does not represent or warrant the completeness or accuracy of such information.

### 7. Communications, additional information and clarifications

All communications as to this REOI, or requests for clarifications or further information should be directed to the REOI Administrator who is Council's authorised representative. His contact details are as follows:

John Burt

Property, Procurement and Commercial Manager

Kaipara District Council

Telephone (09) 439 3123

Fax (09) 4396756

Email: [jburt@kaipara.govt.nz](mailto:jburt@kaipara.govt.nz)

- Requests for clarification or additional information or for interviews with Kaipara District Council Staff must be made in writing and submitted to the EOI Administrator.
- No other Kaipara District Council employee, contractor or Kaipara District Council elected representative may be contracted concerning any aspect of this REOI process without the prior express written permission of the REOI Administrator.
- Unless expressly advised otherwise, no person other than the REOI Administrator has any authority to provide information to Participants or answer questions in relation to the EOI process.
- Any instruction or information resulting from enquires by the Participants may, at Kaipara District Council's absolute discretion, be issued in writing to all Participants in the form of an explanatory notice which will then become part of the REOI documents.
- During the Evaluation period, Kaipara District Council may request meetings with Participants to clarify any point of their EOI submission or require further information.
- Whether any such meeting is called is at the sole discretion of Kaipara District Council.
- Participants agree not to raise any claims or allegations against Kaipara District Council that they have been disadvantaged by any lack of information provided to them, or any ambiguities in information provided to them as part of this REOI process.
- The information furnished in the REOI submission and during any interviews (if any) will be used in assessing the Participants suitability to participate in any subsequent process (if any is undertaken following the REOI process).
- Notwithstanding any other requirements of this REOI, Kaipara District Council may require the Participant to submit additional information to allow further clarification of the Participants EOI submission.
- Should the Participant fail to submit any of the information so required by the date and time stipulated by Kaipara District Council, the EOI submission may be rejected, without consideration or considered and rejected due to lateness.

## **8. Form of EOI submission**

Whilst the detailed structure of the EOI submission is not mandated, Participants should submit their EOI submission as follows:

### **General**

Participants should use easy to read structure, fonts and formatting that assist the evaluators to align submissions to the EOI objectives and evaluation criteria.

Participants should take time to understand how they can assist the Kaipara District Council to meet its objectives for this procurement and recommends effective use of an executive summary to illustrate their alignment to these objectives.

Participants should include an attributes summary section demonstrating how their proposal aligns to the evaluation criteria.

### Specific requirements

- Contents page – maximum one A4 page.
- Executive summary – maximum three A4 pages.
- Company background and relevant experience – maximum three A4 pages plus appendices (if required).
- Options and recommendations – there is no limit to this section however Council expects this section to be no more than ten A4 pages.
- Alignment to evaluation criteria – maximum three A4 pages.
- Participants must address the Evaluation Attributes described in Part B, clause 11 of this EOI.
- Participants must complete and return the Acknowledgement and Statement of Departures.
- EOI submissions may be submitted jointly by two or more organisations. Kaipara District Council would prefer that one member of any consortia be nominated as the lead provider, of the Participant.

## 9. Submission of EOI

EOI submissions will be accepted up until the closing date. EOI submissions must be submitted by delivery to Kaipara District Council.

The address for delivery is:

John Burt  
 REOI Administrator  
 Kaipara District Council  
 32 Hokianga Road  
 Private Bag 1001  
**Dargaville 0340**

There will not be a public opening of EOI submissions.

All EOI submissions received by Kaipara District Council, including any subsequent clarification, will be retained (and may be subsequently destroyed) by Kaipara District Council.

Participants must submit an original and one identical bound copy of any EOI submission in hard copy (paper) format. Participants must also submit a PDF electronic version of a size and format suitable for email.

EOI submissions must be enclosed in a sealed envelope endorsed with the following:

#### **“Expression of Interest for Campground Services to the Kaipara District Council**

- Closing Date: 4.00pm Friday 17 November 2023
- Participants name, contact person details and address for communications.”
- EOI submissions sent by e-mail will be accepted.

## 10. Evaluation process

The proposed evaluation process is described Part C, Schedule 1.

## 11. Evaluation methods and attributes

Evaluation methods:

- EOI submissions will be evaluation using the weighted attributes method.

### Evaluation criteria

Kaipara District Council's nominated Evaluation Team will examine each EOI submission in accordance with (but not limited to) the following attributes:

Attribute	Description
<b>Financial Risk</b>	The evidence based reasons why a proposed option is more likely to reduce Kaipara District Council's financial risk in terms of long term (>10 years) predictability and surety and positive cash flow.
<b>Asset management</b>	How a proposed option will support best practice asset lifecycle management for Council-owned assets or for appreciate handover of provider owned assets to Kaipara District Council at the end of an agreement.
<b>Amenity value</b>	Why the proposed option will ensure best use of Kaipara District Council's campground during the course of an agreement.
<b>Proponents relevant experience</b>	Demonstrating experience in the services offered through summary details of other relevant public amenity based solutions and accompanying referees.
<b>Operational efficiency and ease of implementation</b>	The reasons why a proposed solution can be easily implemented and operated with minimal impact on Kaipara District Council's operations, financial and customer services teams.
<b>Financial returns</b>	The Kaipara District Council's policies indicates the campgrounds should operates at no cost to ratepayers. Where practicable, the campground returns a net profit.

Participants should refer to Part C, Schedule 1 for detailed descriptions of the Evaluation Attributes and weighting.

Participants must ensure that all information that they wish to have considered is included in their EOI submission.

## 12. Late Proposals Policy

- Kaipara District Council reserves the right to consider late EOI submissions.
- Any EOI submission lodged after the closing date will be taken to be late.

- If an EOI submission is taken to be late, Kaipara District Council may, in its absolute discretion, invite the Participant to provide it with explanatory evidence as to the reasons for the delay.
- The decision to consider a late EOI submission or exclude it from consideration will generally be based on the circumstances surrounding the submission and the receipt of the late EOI submission. An important issue for Kaipara District Council in this regard will be whether the Participant is likely to have had an opportunity to obtain some unfair advantage from late submission.

### **13. Freedom of Information**

Participants will be aware that the Local Government Official Information and Meetings Act 1987 gives members of the public rights to access official documents of Kaipara District Council. If a Participant wishes to withhold any information provided as part of its EOI submission from the public, it should clearly identify the areas not to be disclosed and identify the reasons for the withholding this information in terms of the Local Government Official Information and Meetings Act 1987.

### **14. Disclosure of certain information**

Notwithstanding the above, the following information will be made publicly available:

- a) The names of the Participants;
- b) Description of the Services the Participants are proposing to provide;
- c) Details of the EOI process, and any changes to the process.

### **15. Important notices and basis of participation**

This REOI is issued by Kaipara District Council.

This REOI is not an offer to enter into a contract.

The dates given are indicative dates only and it may be necessary to change these from time to time to ensure a fair and robust process. Kaipara District Council will endeavour to keep the Participants advised of any changes as promptly as possible.

Kaipara District Council reserves the right to:

- Change the REOI process (including proposed evaluation methodology) at any time;
- Terminate the REOI process at any time;
- Not progress this REOI process through to the negotiation of supplier contracts;
- Waive any irregularities of informalities in the REOI process, or in an EOI submission;
- Amend this REOI, or any associated documents;
- Accept or reject any EOI submission including tagged, non-conforming or alternative EOI submissions, and select any Participant or other party (whether or not that party was involved in this EOI process) to proceed to the next phase, at its discretion.

The Participant expressly agrees that:

- It did not use the improper assistance of Kaipara District Council employee's or ex-employees, or information unlawfully obtained from Kaipara District Council in compiling its EOI submission.
- Any potential conflicts of interest have fully disclosed in the EOI submission.
- It is responsible for all costs and expenses arising from or related to the preparation and lodgement of its EOI submission, any subsequent negotiation and other action or response in relation to this REOI.
- No legal or other obligations shall arise between the Participant and Kaipara District Council in relation to the conduct or outcome of the REOI process. It shall not have any rights against Kaipara District Council of any nature whatsoever arising from the REOI process and that accordingly, it shall not make any claim of any nature against Kaipara District Council (or any person associated with Kaipara District Council) any costs incurred in the REOI process or in respect of any lost expectation of profits.
- Following the REOI process Kaipara District Council may issue a Request for Proposal (RFP) for its preferred options, enter into negotiations with a preferred Participant or Participants or conclude this REOI process without any further action.
- No public announcements or statements to the media or disclosure of any information received as a consequence of, or relating to the REOI process, may be made without the prior written consent of Kaipara District Council.

# **Part C**

## **Schedules 1 to 3**

## Part C - Schedules 1 to 3

### Schedule 1 - Evaluation

Attribute	Description	Weighting (n/100)
<b>Financial Risk</b>	The evidence based reasons why a proposed option is more likely to reduce Kaipara District Council's financial risk in terms of long term (>10 years) predictability and surety and positive cash flow	20
<b>Asset management</b>	How a proposed option will support best practice asset lifecycle management for Council-owned assets or for appreciate handover of provider owned assets to Council at the end of an agreement	10
<b>Proponents relevant experience</b>	Demonstrating experience in the services offered through summary details of other relevant public amenity based solutions and accompanying referees	10
<b>Operational efficiency and ease of implementation</b>	The reasons why a proposed solution can be easily implemented and operated with minimal impact on Council's operations, financial and customer service teams	10
<b>Financial returns</b>	Compliance with the objective of being operated at no cost to ratepayers and any return to Council above no cost.	50

#### Scoring

Evaluation criteria will be scored as follows:

- 0 fail – does not meet needs
- 1 - 3 meets needs with risk
- 4 - 6 meets needs
- 7 – 10 meets needs and adds value

Participants are advised that a score of '0' in any attribute may result in that submission being rejected and evaluation discontinued.



## Schedule 2 – Interpretation

“Closing Date”	means 4.00pm, Friday 17 November 2023
“Evaluation Attributes”	means attributes identified by Kaipara District Council and described in <i>Part, B, and Schedule 1</i>
“Evaluation Period”	means the period commencing Monday 20 November 2023
“Evaluation Process”	means the evaluation process described in <i>Part C Schedule 1 of this EOI</i>
“Evaluation Team”	means the team appointed by Kaipara District Council to evaluate the EOI Submissions in accordance with the Evaluation Process described in <i>Part C, Schedule 1</i>
“Participant”	means person, organisation or organisations (where it is a joint proposal) lodging an EOI Submission in this REOI
“EOI Submission”	means a document lodged by a Participant in response or purporting to be in response to this EOI, including any clarifications
“REOI Submission Requirements”	means these REOI Submission requirements, comprised in Part B of this REOI
“EOI”	means this Expression of Interest
“Services”	means the campground management services to be provided

## Schedule 3 – General information

### 16. Legal Description

Valuation number	Land status	Description
0107010000E 4 Rope Crescent, Glinks Gully	Recreation Reserve known as the Kopuru Beach Domain	Part Allot 141 PSH of Kopuru DP 510707, SO 2814
0110011200 Bay View Road, Kellys Bay	Kellys Bay Recreation Reserve	Section 16 TN of Poutō SO 37905

### 17. General information

Site improvements as per section 20.

### 18. Contracted services

The following services are currently provided by Council through a range of contracts/ agreements:

- Rubbish disposal (both sites)
- Grounds maintenance (both sites)
- Public water supply (Glinks Gully only)
- Public wastewater (Glinks Gully only)

### 19. Fees and charges

#### Glinks Gully Campground from November 2022 through to June 2023

Tariff Charges	
Powered sites	\$22.50 per adult \$10.00 per child (14 years and under)
Tent sites	\$12.50 per adult \$10.00 per child (14 years and under)
Extra Items	
Showers	\$1.00 per 7 minutes
Use of facilities – kitchen	No cost

#### Kellys Bay Campground up until 31 March 2023

Tariff Charges	
Powered sites	\$20.00
Tent (non-powered) sites	\$15.00

## 20. Campground built assets

### 20.1 Glinks Gully



<b>Land Status:</b>	Recreation Reserve, Reserves Act 1977.
<b>Management Entity:</b>	Kaipara District Council.
<b>Operating model:</b>	Currently directly operated by staff.
<b>Use Types:</b>	Caravans and campervans, both self-contained and non-self-contained, tents.
<b>Availability:</b>	Summer operation only.
<b>Council Department:</b>	Property and Commercial.
<b>Assets:</b>	Powered and non-powered sites, toilet/ablution block, kitchen/dining shelter, wastewater system. There are 10 powered and 13 non-powered sites available, access to hot water showers (\$1) and flush toilets. Basic kitchen with three old fridges, a microwave and two electric hobs.

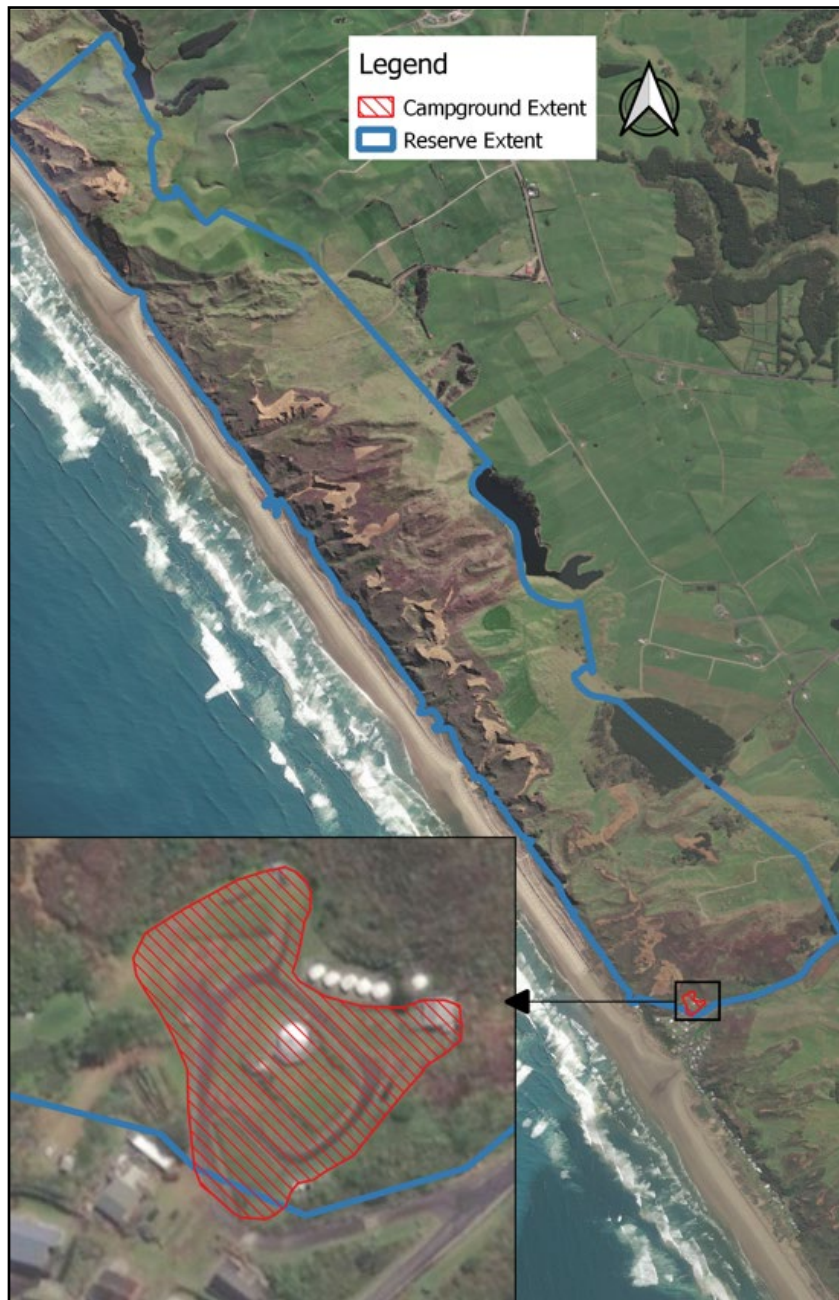
#### Overall Indicative Asset Condition<sup>1</sup>

(3/4) Moderate - Deterioration evident. Failure is unlikely in the near future, but further deterioration is likely. Work is required in next 3 years, but asset is still operating.

Poor - Failure likely in the next 5 years. Substantial work required in the short term.

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<sup>1</sup> Based on feedback from staff only rather than a formal asset condition assessment using asset condition rating scale.



### Statutory Compliance

The use of the site as a campground is provided for under the Recreation Reserve classification of the Reserves Act 1977. The campground is registered under the Camping-Ground Regulations 1985, however is not fully compliant. No formal exemption is in place however it would likely qualify as a 'remote camp'<sup>2</sup> if an exemption was sought.

There are no current issues or concerns from the Building Services team regarding Building Act 2004 compliance. The Council is a PCBU<sup>3</sup> under the Health and Safety in Work Act 2015.

<sup>2</sup> Section 14(3) of the Camping-Ground Regulations provides for local authority discretion to grant an exemption from portions of the regulations as it specifies due to a campsite being remote and on public reserve.

<sup>3</sup> PCBU – Persons conducting a business or undertaking

## 20.2 Kellys Bay



<b>Land Status:</b>	Recreation Reserve, Reserves Act 1977 administered by Kaipara District Council.
<b>Management Entity:</b>	Up until recently Kellys Bay Improvement Incorporated Society (registered as a Charity on the Charities Register).
<b>Operating model:</b>	Licence to occupy. <ul style="list-style-type: none"> <li>• Hall ownership and operation will be retained by KBIS.</li> <li>• Income from camp went back into the community including fixing assets/road etc.</li> <li>• Previously a Peppercorn' rental<sup>4</sup>.</li> </ul>
<b>Use Types:</b>	Caravans and campervans, both self-contained and non-self-contained, tents.
<b>Availability:</b>	Currently closed but previously open year round.
<b>Council Department:</b>	Property and Commercial, Parks.
<b>Assets:</b>	Powered and non-powered sites, toilet block, solar shower cubicle shed, water and wastewater systems. There are 14 power and 10 non-powered sites. Facilities are minimal, water taps and clean long drop toilets only. A two cubicle shed is provided so you can use your own solar shower.

### Overall indicative Asset Condition<sup>5</sup>

Good – Acceptable physical condition. Minor wear and tear.

<sup>4</sup> A token or nominal rent

<sup>5</sup> Based on feedback from staff only rather than a formal asset condition assessment using asset condition rating scale.



# **Part D**

## **Schedule 4**

## Part D - Schedule 4 – Acknowledgement

### Kaipara District Council

### Expression of Interest (EOI) for Campground Management Services to the Kaipara District Council

#### Expression of Interest Acknowledgement Form

- We acknowledge receipt of your EOI dated 20 October 2023.
- We acknowledge and agree to conform with the EOI process and accept the basis upon which Kaipara District Council is undertaking the EOI process as set out in the EOI.
- We nominate the following person(s) to communicate with Kaipara District Council on our behalf in relation to the EOI and our EOI submission:

Name of Person(s):

Position of Person(s):

Firm:

Address:

Telephone number:

Facsimile number:

For and on behalf of:

.....

**Authorised signatory**

.....

**Name of firm and name of authorised signatory**

**Please return this Acknowledgement Form by Friday 27 October 2023**



# **Part E**

## **Schedule 5**

## Part E - Schedule 5 – Statement of Departures

### Kaipara District Council

### Expression of Interest (EOI) for Campground Management Services to the Kaipara District Council

#### Statement of Departures

1. There are no departures from the requirements of the EOI.

Or

2. There are departures from the requirements of the EOI. The departures are described in the attached table.

For and on behalf of:

**Authorised signatory**

**Name of Participant and name of authorised signatory**

#### Statement of Departure

Description of the departure	EOI Reference	EOI Submission Reference