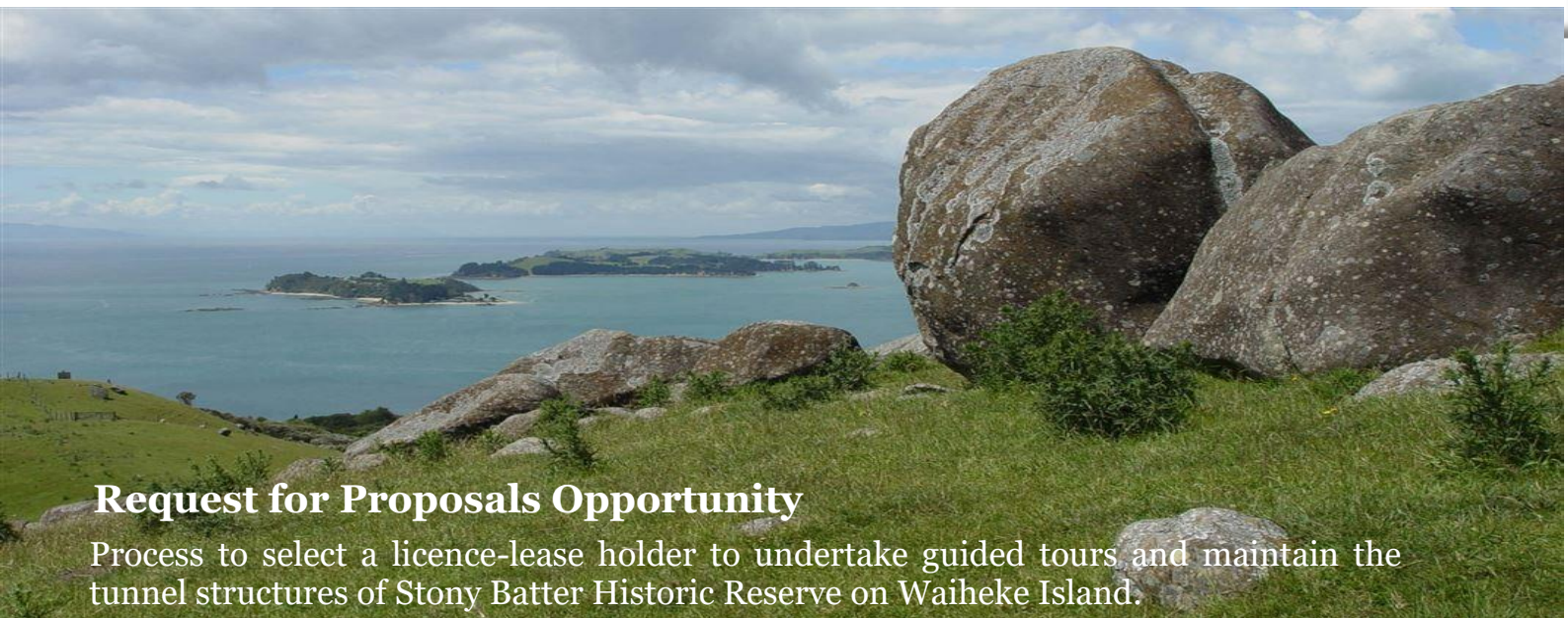




Request for Proposals Opportunity

Process to select a licence-lease holder to undertake guided tours and maintain the tunnel structures of Stony Batter Historic Reserve on Waiheke Island.

1.0 Introduction

The opportunity to undertake guided tours through the historic tunnel network in the Stony Batter Historic Reserve, Waiheke Island is currently managed through the Department of Conservation ('the Department') by way of a lease/licence issued to one operator.

The existing lease/licence is due to expire on 04 June 2025. The Department is seeking proposals to determine the new lease/licence holder.

To do this, the Department has decided to run a Request for Proposals ("RFP") process.

The RFP provides a transparent process to determine the most suitable proposal for the opportunity at Stony Batter. Proposals will be assessed on their overall merits, based on the criteria described in Section 6.0 of this document.

Following assessment of Proposals, one or more respondents may be invited to apply to the Department for a concession lease/licence within the Stony Batter Historic Reserve.

Proposal Timeframe:

The Department will be accepting Proposals from 9:00am Tuesday 10th December 2024 to 5:00pm Friday 28th February 2025.

If you have any questions about this document or the wider process please contact the Department.

2.0 Context

The defence sites around the periphery of Auckland city are a significant feature of Tamaki Makaurau's historic and cultural heritage. The Coastal Defence Historic Reserves Place includes three reserves administered by the Department: Fort Takapuna, North Head and Stony Batterⁱ.

Stony Batter Historic Reserve is located at the northeast end of Waiheke Island / Motu-Wai-Heke, approximately 24 kilometres from Matiatia wharf. This Reserve occupies 18.4 hectares and has outstanding landscape values with superb views of the Hauraki Gulf Marine Park and its' islands. The area offers walking access to bays in the south and north through characteristic rolling pasture and distinctive andesitic boulder outcrops. Along with its rock formations, Stony Batter is best known for its spectacular World War II underground defence fortress constructed between 1942 and 1946.

Fort Stony Batter Fort is the largest fortress ever constructed in New Zealand and includes impressive remains of a World War II Counter Bombardment Heavy Coast Defence Battery, made up of three concrete gun emplacements linked by an extensive network of passages and underground chambers. The tunnels reopened in December 2020, under the concession of Fort Stony Batter Heritage Park.

A combination of excellent design and isolation has resulted in a remarkably good state of preservation. The guns and equipment have been scrapped, but the remaining structures are much as they were when abandoned by the army after the war. The extensive use of underground tunnels and connecting passages, and the adoption of existing civil rather than military designs, are unique in coast defence battery design. These distinctive features were due to shortages of reinforcing steel and concrete and were made possible by the soft rock in the area which could be relatively easily excavated.

Stony Batter Fort is heralded as a historic engineering site of international significance. In 2000 the site became officially registered as a Category 1 Historic Placeⁱⁱ, recognised as having 'special or outstanding historical or cultural heritage significance or value'.

3.0 What Proposals are being sought for:

This RFP is an invitation for suitably qualified persons to submit a Proposal for rights to operate a limited opportunity guided tour service throughout the Stony Batter tunnel network and above ground, and to provide day to day maintenance of the historic tunnel network.

3.1. Administration

Reserves Act 1977

Stony Batter is a Historic Reserve administered under the Reserves Act 1977. The reserve is administered by the Department of Conservation on behalf of the Crown. In managing the site, the Department must have regard to the purposes of the Act (s.3), and the purposes of historic reserves (s. 18), when considering proposals. This means all activities undertaken on the reserve must not adversely affect the heritage and other values present in the reserve.

Hauraki Gulf Marine Park Act 2000

The Reserve is administered in accordance with the Hauraki Gulf Marine Park Act 2000. This Act contains general policies that influence the management of activities occurring within the Hauraki Gulf.

Auckland Conservation Management Strategyⁱⁱⁱ

The most relevant Department statutory planning document is the Auckland Conservation Management Strategy 2014-2024 (CMS). The CMS is a statutory document which is prepared under the Conservation Act. It provides an overview of conservation issues in the Auckland region and gives direction for the management of public conservation lands and waters, and species for which the Department has responsibility.

The CMS sets out objectives and policies for the management of public conservation lands and waters within the Auckland region. That document includes the following information about Stony Batter Historic Reserve:

Stony Batter is best known for its spectacular World War II underground defence complex. Built between 1942 and 1946, it included three 9.2-inch gun emplacements that were linked by a network of underground tunnels and chambers. Stony Batter illustrates the later stages of the development of Auckland's coastal defence network. By the time it was built, the more powerful guns could be sited further away from the ports they were defending. Since 2000, the Stony Batter Protection and Restoration Society has been

working to restore the tunnel complex, including installing engines and other features that were found in the complex.

It has also created a small museum and information centre at the entrance to the complex, and keeps the complex open to the public, providing information and guided tours.

Stony Batter receives fewer visitors than Fort Takapuna and North Head due to its location at the eastern end of Waiheke Island. However, the underground tunnel complex is a fascinating place to explore and has the potential to become a key destination for visitors to Waiheke Island.

Stony Batter is a valued community treasure for Waiheke Islanders and the wider Auckland community. Stony Batter's potential as a significant and quality visitor destination on Waiheke Island that visitors recommend highly to others is realised because of working with the community and concession holders. Stony Batter's tunnel complex is explored independently or by taking a guided walking tour. Visitors discover stories about the development of the tunnel complex and its role in the defence of Auckland, and about early Māori settlement that preceded its military history.

Policy 22.2.2.10 Work with the community and concession holders to achieve sustainable and quality visitor services and facilities at Stony Batter.

3.2. Location and description of land

This RFP is for the land of Stony Batter Historic Reserve (Legal Description: Allot 135 PSH), including the underground tunnel system. See Map at Figure 1.

The Historic Reserve is at the eastern end of Waiheke Island, about 24 kilometres (40 minutes' drive) from Matiatia Wharf. It is not serviced by public transport.

Entrance to the Reserve is located at the end of Stony Batter Road, where there is a parking area. From there public foot access is through an easement on private farmland. It is approximately 700m from the carpark to the access to the Reserve, and 1.3km to reach the Historic Reserve.

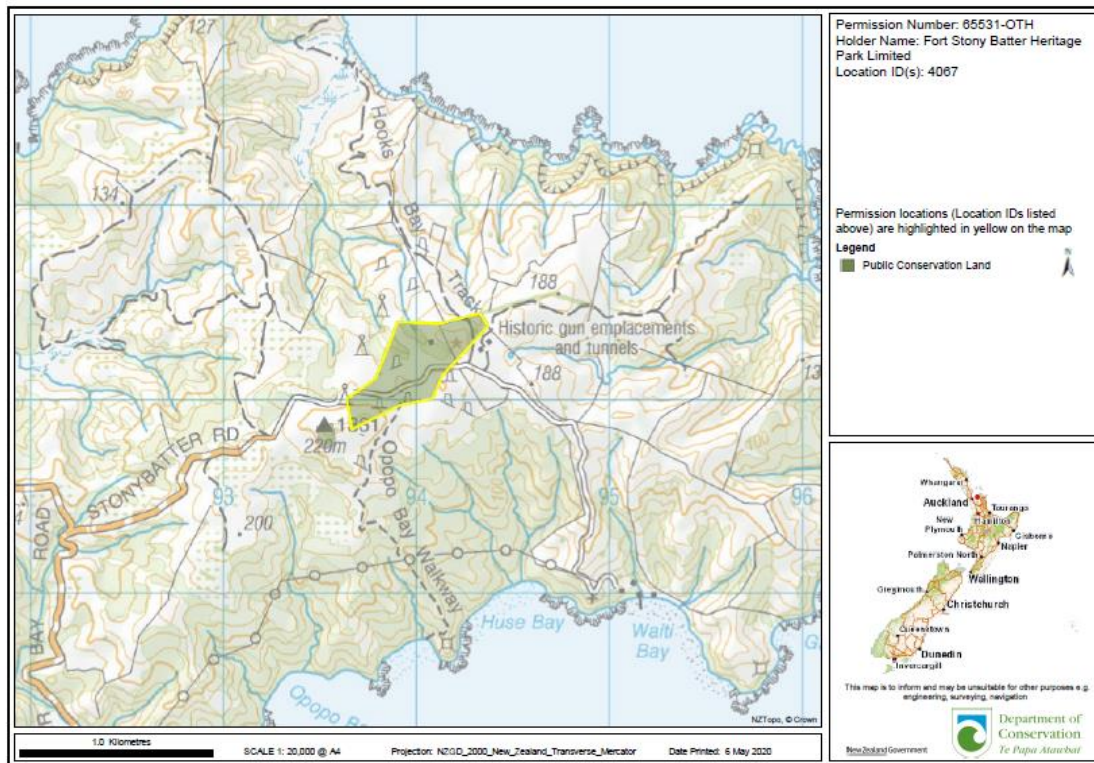


Figure 1: Map of proposed lease/licence land at Stony Batter Historic Reserve, Waiheke Island. The Historic Reserve is demarked by a yellow boundary.

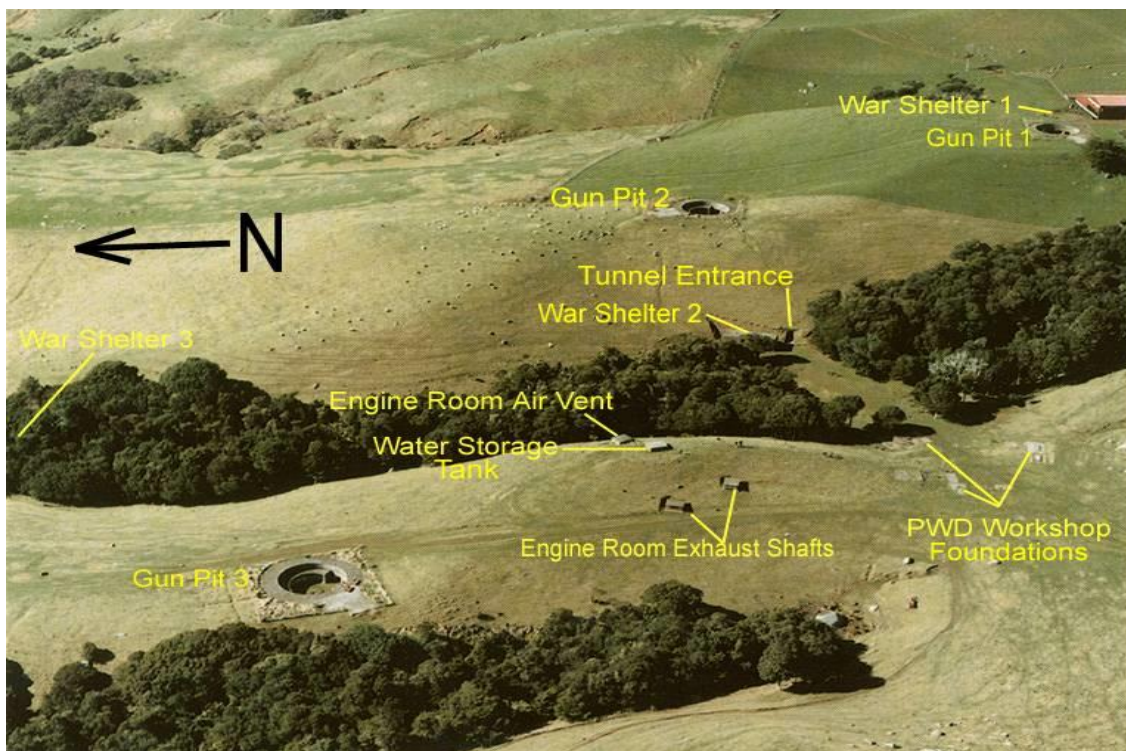


Figure 2: Aboveground remains of Fort Stony Batter include features such as gun emplacements (Gun Pits), shelters, tunnel entrances and associated structures.

4.0 Treaty of Waitangi partnerships

The Conservation Act 1987 and all the Acts listed in its First Schedule must be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi (as per section 4 of The Conservation Act)¹. The Department also has specific responsibilities under Treaty settlement legislation.

Principles we apply in our work include partnership, active protection, redress and reconciliation, and informed decision-making. This includes promoting the interests of iwi/hapū/whānau regarding local sites and supporting them to contribute to decisions about activities occurring within their tribal boundary.

The Department recognises the role of tangata whenua as kaitiaki and acknowledges their mana whenua, the special relationship they have with the land and its resources. The Department's engagement of iwi/hapū/whānau on proposed activities helps achieve informed decision-making.

The Department's obligations under s 4 of the Conservation Act 1987 includes promoting the interests of iwi/hapū/whānau regarding local sites and supporting them to contribute to decisions about activities occurring within their tribal boundary.

Waiheke Island falls within the rohe of:

- Ngāi Tai ki Tāmaki
- Ngāti Maru
- Ngāti Tamatera
- Ngāti Tamaoho
- Ngāti Te Ata
- Te Patukirikiri
- Ngāti Whanaunga
- Ngāti Pāoa

The Department is committed to recognising iwi and hapū at various stages of the Treaty settlement process and will provide for iwi involvement in kaitiakitanga irrespective of whether they have settled their historic grievances or not.

Stony Batter Historic Reserve is part of cultural redress under the Ngāi Tai ki Tāmaki Deed of Settlement². The site has a Statutory Acknowledgement and a Deed of Recognition,

¹ It is important to note that section 4 of the Conservation Act does not override Treaty clauses or requirements in other legislation.

² [Ngāi Tai ki Tāmaki Deed of Settlement Summary 7 Nov 15](#) –

requiring consent authorities provide for iwi consultation and input on proposals, applications and land management.

The Department notified all the above listed iwi regarding this Request for Proposal.

Following the allocation process, the Department will invite the successful tenderer to apply for a concession. Treaty Partners will also be engaged to review the concession application as standard part of Permissions' process.

5.0 Request For Proposal Process

5.1. Lease/Licence management

The Minister has implemented an RFP process for the operation of a guiding service and maintenance of the tunnels at Stony Batter Historic Reserve.

5.2. Stages of process

**Step One:*

The RFP process will be open from 9:00am Tuesday 10th December 2024 to 5:00pm Friday 28th February 2025. Please ensure your proposal is provided to the Department by this closing date. Details for submitting a Proposal and contact information is included in the Appendices 1-3 of this document.

Ensure you have read all information and understand what is required. Please contact the Department if you have any queries about the requirements or process.

Note: The Department may answer questions of clarification about the context and about the RFP process, but cannot help to write, review or complete your proposal for the purposes of impartiality.

**Step Two:*

The Department will follow the process for consideration of Proposals set out in Section 7.0.

**Step Three:*

The Minister will determine the most appropriate course of action after evaluation of all submitted Proposals.

One or more respondents may be invited to apply for a lease/licence under Part 3B of the Conservation Act 1987.

What is required from persons invited to submit a Proposal?

Submit to the Department:

1. A written Proposal including all supporting information required under Section 6.0 - Criteria.
2. Completed Proposal Form (Appendix Two)
3. Evidence of payment of the Proposal lodgement fee.

Proposals will not be considered unless they are accompanied by all requested supporting documentation, a completed form, and evidence that payment of the required fee has been made.

There is no Proposal template. Please provide all relevant information in a clear and logical format.

A checklist is provided in Appendix Three to help meet relevant parts of the Proposal, but the Responder is responsible for ensuring completeness of their own submission.

6.0 Criteria for Proposal

The Proposal criteria is divided into five components below. Respondents must provide all the information requested in Sections 6.1 – 6.4.

Failure to provide the requested information may result in a Proposal being removed from consideration.

6.1. Stony Batter Historic Reserve values and features

Discuss how the commercial operation would be managed to provide for the following:

i) Significance to iwi/hapu

- Protect and enhance the relationship of tangata whenua with Stony Batter Historic Reserve.
- Support mana whenua to undertake cultural activities at Stony Batter Historic Reserve, through collaborative initiatives, including enhancing access to areas of significance.
- Will you provide discounted entry for iwi organisations, and if so, how much discount?

ii) Significance to the wider public

- Maintain and enhance the significance of Stony Batter Historic Reserve to members of the public, particularly those residents of Waiheke but also New Zealand public.
- Be able to demonstrate how you will encourage persons to travel to and visit Stony Batter Historic Reserve.
- Will you provide discounted entry for specific groups (such as schools), and if so, how much discount?

iii) Other organisations

- Promote Stony Batter Historic Reserve so that the site's conservation values are highlighted and the work of the Department and the Respondent (when a concession holder) on restoration and maintenance would be acknowledged and supported.
- Enable visitors to have a quality experience, such as guided tours and interpretation of Stony Batter's historic features.
- Will you provide free entry for Department of Conservation staff? Will you provide discounted entry for other organisations?

6.2. Operation of a commercial guiding service

Information on the operation of a guiding service to be included with the Proposal:

- i) A statement acknowledging the non-refundable annual concession fees will be paid each year for the term of the licence, subject to the Director-General's right to review the fees pursuant to clause 2 of the licence.
- ii) Operation of a guiding service – how you expect to operate the service
 - What will be the minimum guiding service that you will offer?
 - The proposal should allow for activities to take place during daylight hours all year round. *The proposal may also consider a seasonal offer if preferable.*
 - The proposal should outline the duration and frequency of tours and the size of tours groups, for example tours may be 1 hour long and do not exceed 30 individuals (not including the tour guide). Children (regardless of age) constitute an individual.
 - The proposal should outline how access points to the underground tunnels will be secured to stop unauthorised access to them.

- The proposal should outline how access to the site will be provided, including provision for disabled or elderly visitors.
 - Provide a guiding service that is professional, safe, reliable, facilitates access for the disabled, and provides a quality experience for visitors. Evidence of standards to be achieved and how these are to be implemented must be attached to the proposal.
 - A proposed annual schedule of opening times must be attached to the proposal. A schedule of proposed entry costs must be attached.
- iii) Operation of a maintenance schedule – how you expect to maintain the service
- How will you actively preserve and protect the tunnel network?
 - How will you maintain the onsite visitor amenities such as toilets?
 - How will you maintain access to the site i.e. the driveway through the reserve between the entrance gate and the main entry point to the tunnels?
- iv) Sustainability and climate change
- What sustainability measures will you adopt within your operation? Will you have a sustainability plan, and if so, what will it include?
 - Emissions from transport form a significant amount of New Zealand’s domestic greenhouse gas budget. What measures will you do to reduce carbon emissions? Will you undertake off-setting or undertake other carbon reduction activities?

6.3. Respondent capacity

i) Previous experience

- Is the Respondent suitable by virtue of experience to implement the Proposal (either alone or in conjunction with others)?
- Outline your wider experience for the operation of a guiding service and management of historic places. Refer to past examples of which support your ability to implement the Proposal. If you plan to implement the Proposal in conjunction with other parties, please outline how you expect the parties to work together to achieve the desired outcomes.
- Provide two written references supporting your Proposal.

ii) Fostering Connections to the Land

Describe any connection you have to Stony Batter Historic Reserve, including in a historical context. Also include how you will foster the connection of tangata

whenua, special interest groups and the public to this special area. Discuss how this connection supports your Proposal.

6.4. Future management of Stony Batter Historic Reserve

Please detail how you believe the operation of a guiding service should be managed into the future. Discuss your aspirations such as your key overarching objectives and goals. For example, this could be to foster recreation or increase historical knowledge. Describe how these aspirations will be appropriate under the international status of Stony Batter as a Historic Reserve.

6.5. Other supporting information

Respondents may wish to include other information about how their Proposal will contribute value to conservation. This could include whether they have a connection with other activities in this area and how the Proposal would contribute to the preservation and protection of the land, biodiversity and values.

7.0 Process for Consideration of Proposals

7.1. Evaluation process

All Proposals received will be evaluated following the process set out here:

- i) Proposals will be checked for completeness. They must include: a full Proposal and required supporting information (Section 6), a completed Proposal Form, and evidence the lodgment fee has been paid. *Refer to Appendix Two checklist for guidance.*
- ii) The Department will assemble a panel to assist the Minister to review Proposals received by the closing date for submissions.
- iii) No weightings will be assigned to elements of the Proposal criteria. Submissions will be assessed collectively on their overall merits and fulfilment of the criteria.

7.2. Due diligence

In addition to the above, the Department may undertake the following due diligence in relation to Respondents' Proposals.

Findings that will be considered as part of the evaluation process include:

- i) Reference checks of the Respondent
- ii) Other checks e.g. Companies Office

The Department may also choose to interview Respondents.

8.0 Terms and conditions

8.1. RFP Period/submission of Proposals

Proposals must be submitted electronically.

Proposals are to be sent by email to Lynette Trewavas at ltrewavas@doc.govt.nz and must be received by 5pm on the closing date of 28th February 2025.

Proposals received after this closing period will not be considered unless it can be demonstrated that the Proposal was delivered late due to factors outside of the Responder's control.

8.2. Complete Proposals

Only Proposals that are complete and satisfactorily address criteria in Section 6 will be considered.

The original copy of the Proposal must be signed by the Respondent or a duly authorised agent. If an agent is submitting a Proposal, it must also be accompanied by a letter confirming this authority to act on behalf.

Proposals from a partnership or unincorporated joint venture must include the full names and addresses of all partners or members of the joint venture. If a Proposal 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.

The cost of preparing and submitting the Proposal shall be borne by the Respondent.

Proposals must be accompanied by evidence that the Lodgement Fee has been paid in full (see Section 8.8). *Appendix One provides details on how to pay the Lodgement fee.*

Any Proposal received without payment of the Lodgement Fee will not be accepted.

8.3. No Authority Application

Proposals will be assessed for the purposes of selecting the most suitable Proposal(s).

The Proposal Documents and any other information provided under this process shall not be treated as a concession application pursuant to the Reserves Act 1977.

A Respondent may be invited to apply for a Lease/Licence after all Proposals have been considered by the Minister.

8.4. Ownership/confidentiality

The RFP documents are the property of the Minister.

Confidential information is:

- by nature, confidential (including culturally sensitive information)
- marked by either the Minister or a Respondent as ‘confidential’, ‘commercially sensitive’, ‘sensitive’, ‘in confidence’, ‘top secret’, ‘secret’, ‘classified’ and/or ‘restricted’
- provided by the Minister, a Respondent, or a third party in confidence
- information that the Minister or a Respondent knows, or can be reasonably expected to understand, is confidential.

Confidential information does not cover information that is in the public domain through no fault of either the Minister or a Respondent.

The Minister will take reasonable steps to protect the Proposal Documents and, subject to the provisions below, will not disclose the Respondent’s Confidential Information to a third party without the Respondent’s prior written consent.

The Minister may disclose the Respondent’s Confidential Information to any person who is directly involved in the RFP process on its behalf, such as officers, employees, consultants, contractors, or professional advisors, evaluation panel members, but only for the purpose of participating in the RFP.

The Minister’s obligations are subject to requirements imposed by the Official Information Act 1982, the Privacy Act 1993, parliamentary and constitutional convention and any other obligations imposed by law.

8.5. Third party information

The Respondent authorises the Minister to collect additional information, except commercially sensitive pricing information, from any relevant third party (such as a referee or a previous or existing client) and to use that information as part of its evaluation of the Respondent's Proposal.

The Respondent is to ensure that persons/parties listed as references in support of their Proposal agree to provide additional information to the Department upon request.

To facilitate discussions between the Minister and third parties each Respondent waives any confidentiality obligations that would otherwise apply to information held by a third party, except for commercially sensitive pricing information.

8.6. Amendments to the Proposal

Where any amendment to this RFP is considered necessary by the Minister, a notice of amendment (Notice of Amendment) shall be published on the Department's website and sent to all Respondents and persons who previously expressed an interest in the RFP process. Any such amendment shall, upon notification, become part of the RFP documents.

Where the Minister issues a Notice of Amendment, Respondents have the right to withdraw their proposal, modify it in accordance and resubmit their Proposal within the time specified in that Notice.

8.7. Statutory or other requirements

It will be the sole responsibility of the Respondent to ensure they can meet any statutory or other requirements to carry out their Proposal, including any requirements under the Resource Management Act 1991, the Heritage New Zealand Pouhere Taonga Act 2014 or any other legislation.

8.8. Lodgement Fee

Respondents must pay a non-refundable lodgement fee of \$750.00 + GST to offset costs of running the Request for Proposal process.

8.9. Respondents to be satisfied

Respondents are considered to be fully aware of the conditions relating to this RFP process and to have examined this document and any other information supplied by the Department.

Respondents are deemed to have satisfied themselves before applying as to the accuracy and sufficiency of their Proposal and supporting documents.

8.10. No obligation

The Minister has no obligation whatsoever to compensate or indemnify any Respondent for any expenses or loss that the Respondent may incur in the preparation of their RFP. There is no guarantee that any Proposal will be accepted, and/or subsequent process run, and/or any Authority granted.

The Minister will give written notice to all Respondents who have submitted bona fide proposals advising the outcome of the RFP process.

The Minister is not bound to:

- i) Accept any Proposal;
- ii) Give any reason to any person for the rejection or otherwise of any Proposal;
- iii) Complete the RFP process.

The Minister reserves the right:

- i) To reject any Proposal;
- ii) At any time to withdraw the Reserve or any part of the Reserve from the RFP notwithstanding that proposals may have been called for and / or received;
- iii) At any time to withdraw the RFP or again call for proposals or consider further proposals received.

8.11. No Contract

Neither the RFP, nor the RFP process, creates a process contract or any legal relationship between the Minister and any Respondent.

The fact that this RFP process is being conducted is in no way to be taken as an indication that a Lease/Licence will be granted.

Granting of a Lease / Licence is a separate decision by the Minister made under the Reserves Act 1977 and is not part of this RFP process.

8.12. Disclaimer

The Minister will not be liable in contract, tort, equity, or in any other way whatsoever for any direct or indirect damage, loss or cost incurred by any Respondent or any other person in respect of the RFP process.

Nothing contained or implied in the RFP, or that process, or any other communication by the Minister to any Respondent shall be construed as legal, financial or other advice. The Minister has endeavoured to ensure the integrity of such information. However, it has not been independently verified and may not be up to date.

To the extent that liability cannot be excluded, the maximum aggregate liability of the Minister, its agents and advisors is \$1.

8.13. Respondent Enquiries

For any questions, please contact:

Lynette Trewavas, Senior Permissions Advisor

Department of Conservation

Hamilton / Kirikiriroa

Subject Line: Stony Batter Historic Reserve – Request for Proposals

Email: ltrewavas@doc.govt.nz

Appendix One – Further Information

1. CLOSING DATE FOR ACCEPTANCE OF PROPOSALS

5:00pm Friday 28 February 2025

2. SUBMISSION OF PROPOSALS – by electronic means only

Email: ltrewavas@doc.govt.nz

Subject Line: Stony Batter Historic Reserve – Request for Proposals

3. CONTACT

Lynette Trewavas, Senior Permissions Advisor

Department of Conservation

HAMILTON / Kirikiriroa

4. APPLICATION CHARGES

Lodgement Fees:

Respondents must pay a non-refundable lodgement fee of \$750.00 + GST as part of their submission.

The lodgement fee must be submitted to the Department by way of internet bank transfer using the following information -

- Payee: Department of Conservation
- Bank Details: Westpac 03 0049 0002808 00
- Reference: Stony Batter Historic Reserve

Proof that payment of fee has been made must be included with the Proposal.

Appendix Two – Proposal Form

Request For Proposal for:

Commercial operation of a guiding service at Stony Batter Historic Reserve.

SECTION 59A OF THE RESERVES ACT 1977 TO REQUEST PROPOSALS FOR COMMERCIAL OPERATION OF A GUIDING SERVICE AT STONY BATTER HISTORIC RESERVE.

Please complete and return this form.

I (full name) _____

Company/Partnership name, if applicable _____

Note: if you are acting on behalf as an agent, you will need to provide written authorisation as part of supporting documentation

Trading as (trading name, if applicable) _____

Postal Address _____

Herein submit this Proposal and supporting information.

Signed:

Dated:

Additional Respondent information:

Contact phone number _____

Email address _____

Website address (if applicable) _____

Names and addresses of any other business partners/ joint venture members: _____

Names and contact details for any other persons involved in the Proposal: _____

Appendix Three – Checklist of Required Information

Proposal Details and Supporting Documents. *This checklist is a guide only. It is the Respondent's responsibility to ensure inclusions and supporting documentation are complete.*

1. Criteria

- Reserve Values and Features (Section 6.1)

Proposal to promote Stony Batter Historic Reserve (s6.1.3)

☐

- Operational Information (Section 6.2)

Acknowledgement non-refundable fees will be paid annually (s6.2.1)

☐

Operation of the guiding service (s6.2.2) to include:

Standards for a professional, safe, reliable, accessible and quality experience of service (s6.2.2)

☐

Attach a proposed annual schedule of opening times and costs

☐

Maintainence of the service (s6.2.3)

☐

Sustainability measures (s6.2.4)

☐

- Respondent Capacity (Section 6.3)

Attach two written references

☐

- Future Management of the Historic Reserve (Section 6.4)

☐

- Other Supporting Information (Section 6.5)

☐

2. Proposal Form (Appendix Two)

- Completed and signed by Respondent or an authorised agent

☐

- Letter authorising any third parties to act on behalf, if applicable

☐

3. Evidence of Payment of Lodgement Fee

- Attach evidence

☐

ⁱ [CMS Auckland 2014-2024, Volume I, Operative 17 November 2014](#)

ⁱⁱ New Zealand Heritage List / Rārangi Kōrero <https://www.heritage.org.nz/list-details/7472/Listing>

ⁱⁱⁱ [Auckland: Conservation management strategies \(doc.govt.nz\)](#)