



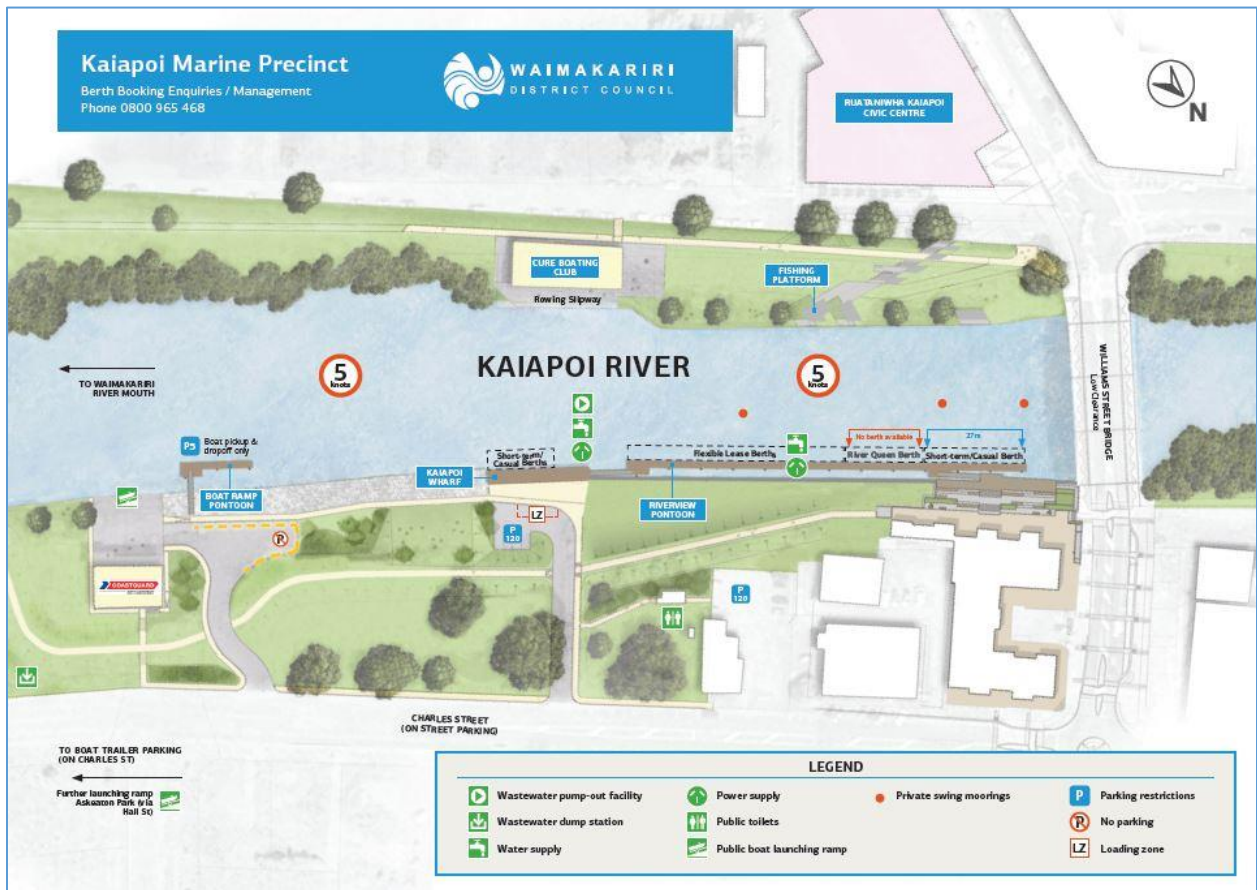
# Kaiapoi Marine Precinct Flexible Lease Berth Rental **Expressions of Interest Guide**

Prepared by Waimakariri District Council  
6 September 2019

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# 1. Expressions of Interest Request



Expressions of Interest (EOI) are being sought from Vessel owners and operators wishing to apply to rent longer-term berths within the Kaiapo Marine Precinct. The marine precinct is located in the section of the Kaiapo River between the Williams Street Bridge and the Coastguard headquarters, as indicated below.

**Figure 1: Kaiapo Marine Precinct & Facilities**

The Kaiapo Marine Precinct will be fully operational in October 2019, with public berthing opportunities being available from this date. The Kaiapo Marine Precinct Bookings Advisory Group is seeking to establish a list of parties interested in renting a Flexible Lease berth for 14 days or more in the marine precinct at the Riverview Pontoon.

The following pages set out the guidelines for preparing and submitting an EOI in addition to the EOI criteria and timeline. Expressions of interest for Flexible Lease berths at the Riverview Pontoon open at 12pm on Friday 6 September and close at 12pm on Monday 7 October 2019.

All submissions will be evaluated by the Kaiapo Marine Precinct Bookings Advisory Group, which has been formed as a representative of Council by approval of the Kaiapo-Tuahiwi Community Board, and whose primary function is to authorise berth rental or live-aboard bookings in excess of 14 days.

EOI's can be submitted to:

**Waimakariri District Council – Kaiapoi Service Centre**

**In Person:** Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

**Email:** [kaiapoi@wmk.govt.nz](mailto:kaiapoi@wmk.govt.nz)

**Online:** [waimakariri.govt.nz/KaiapoiMarinePrecinct](http://waimakariri.govt.nz/KaiapoiMarinePrecinct) (online EOI form)

**Post:** Waimakariri District Council, Private Bag 1005, Rangiora 7440

All EOI's must be received before the application close off date.

## 2. Site Information

The Kaiapoi Marine Precinct is located in the central business district within the centre of Kaiapoi. The precinct sits in the section of the Kaiapoi River between the Williams Street Bridge and the Coastguard boat ramp adjacent to the existing Coast Guard headquarters. See Figure 2.

Key features of the new Kaiapoi Marine Precinct include a floating river pontoon and a new paved wharf area. Additional facilities include a fishing platform, the Coastguard's boat ramp (available for public use), caravan and boat wastewater pump in/out facilities, power services and fresh water taps.

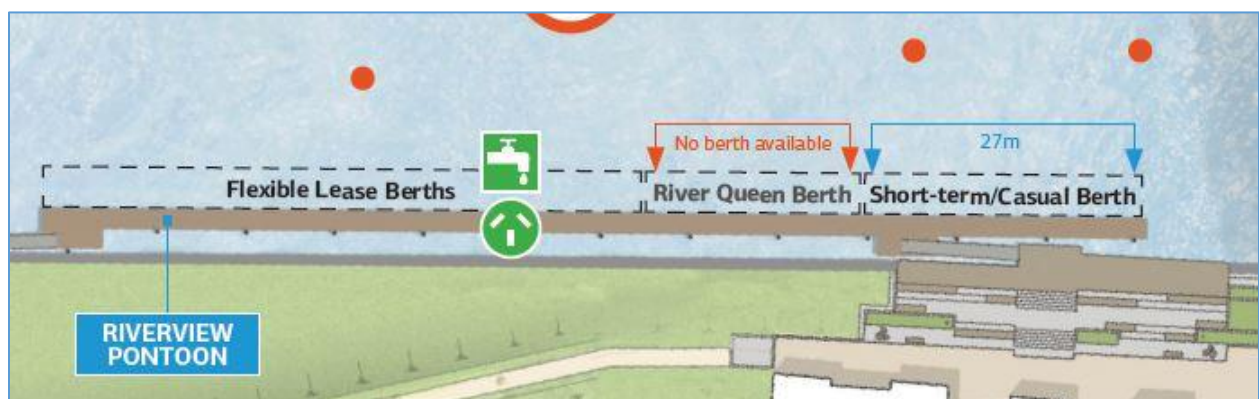
The marine precinct area is zoned business one.



Figure 2: Kaiapoi Marine Precinct

### Berths

The marine precinct accommodates a range of public berthing opportunities, ranging from casual through to longer-term leases at the wharf and the Riverview Pontoon (as depicted on the plan below). These berths are owned and managed by the Waimakariri District Council.



Location	Total Berth Range	Type of Berth	Duration of Use	Activity
wharf	28 metres (total wharf)	Casual / Short-term	Less than a day (casual); short-term (2-14 days)	Access pump/out station and fresh water tap (casual); Maintenance activities (short-term)
Riverview Pontoon	27 metres	Casual / Short-term	Less than a day (casual); short-term (2-14 days)	Casual and short-term berthing
Riverview Pontoon	60 metres	Flexible Lease (Longer-term)	14+ days	Longer-term berthing

The total berth ranges listed are designed to accommodate a variety of vessel sizes.

#### **Flexible Lease Berths Available For Rent (14+ days)**

The Council currently has space available within the Flexible Lease berth at the Riverview Pontoon for rentals in excess of 14 days.

The Kaiapoi-Tuahiwi Community Board have already allocated two berths within this range to vessels that previously had long-term berths at the wharf.

Council has approximately 30 metres (inclusive of manoeuvrability allowances) of berth range left for rent within the Flexible Lease range at the Riverview Pontoon. Expressions of interest are being sought for longer-term berthing within this remaining 30 metres at the Riverview Pontoon.

To register your interest in booking a long-term berth, please complete the **Kaiapoi Marine Precinct Berth Licence and Live-Aboard Application Form** which is available for download from the Council's website: [waimakariri.govt.nz/KaiapoiMarinePrecinct](http://waimakariri.govt.nz/KaiapoiMarinePrecinct) and submit it to Council via one of the contact channels listed in this Guide.

#### **Casual and Short Term Bookings (0-14 days)**

Casual berths that are available for less than a day's use do not need to be booked in advance through the Council's booking system and can be accessed, at will, when available.

Short-term lease bookings of between 2-14 days must be booked in advance (where possible, by at least 3 business days). Please refer to the Council's website for more information about short-term bookings: [waimakariri.govt.nz/KaiapoiMarinePrecinct](http://waimakariri.govt.nz/KaiapoiMarinePrecinct)

### 3. The Council's Objectives

The Council aims to transform the marine precinct into a key destination area by enhancing the river setting with vibrant marine activity.

Our objectives for the Kaiapoi Marine Precinct include:

**Functionality:**

- High-quality, functional and well-maintained assets, facilities and supporting infrastructure.
- High public demand and regard for marine precinct assets and services.
- High public regard for marine precinct management.
- Affordable berthage for lease holders.
- Supporting a range of in-situ commercial, recreational, leisure, sporting or cultural events and activities.

**Access:**

- Equal opportunity marine precinct and river access for end users.

**Attractiveness:**

- Visual amenity that enhances and complements the river setting plus the existing character and heritage of Kaiapoi.

**Environment:**

- Maintain the amenity of the Kaiapoi River.

**Visitation:**

- A compelling point of attraction for residents and visitors.

**Identity:**

- Contributes to Kaiapoi's identity as 'New Zealand's Best Rivertown'.

## 4. Application Requirements

The Bookings Advisory Group will only accept EOI submissions from vessel owners or operators who meet the selection criteria below.

### EOI Submission Criteria

- Applicants must have a boat.
- Boats or craft must meet the definition of 'Vessel' as determined by the Bookings Advisory Group (see 'Definitions' below and on the following page).
- Vessels must comply with the following conditions:
  - Vessels must be presentable, tidy, in a state of good repair and working order;
  - All fitting and mooring lines must be of suitable strength, condition and type to adequately secure the vessel to the berth via the mooring cleats provided;
  - Vessel halyards, lines and rigging must be secure;
  - Vessel hulls must be clean of marine pests and conspicuous bio-fouling;
  - Vessel signwriting must be non-offensive and appropriate to the size of the vessel and boating activity;
  - Vessel length overall should not exceed 15 metres;
  - Vessel beam allowances will be assessed on a case-by-case basis;
  - Vessels that seek to access shore power must have a current Electrical Warrant of Fitness (EWOFF);
  - Live-aboard vessels must be self-contained for all water and wastewater requirements and contain suitable black/grey water holding tanks with active sealing devices;
  - Respondents must have in place, or be prepared to secure, marine related public liability insurance to a minimum of one million dollars (\$1,000,000).

### Definitions

For the purposes of the Kaiapoi Marine Precinct (as a guide only) the Bookings Advisory Group defines a Vessel as:

A **Vessel** means a boat or craft used in navigation on waterways with its own means of self-propulsion. It includes boat or craft designed, fitted, and used primarily for dwelling purposes, as opposed to transport or recreation.

A Vessel **does not** include any structure or building that is:

- Located on the surface of the water:
- Attached to flotation type devices or platforms, a barge, or attached to the bed or bank of a river

- Intended to be mainly used for a residential purpose
- Not primarily designed in a manner to be navigated on a waterway
- With no means of self-propulsion

Based on the submissions received, the final definition of what constitutes a 'Vessel' will remain solely with the Bookings Advisory Group.

### **Information Sought From Applicants**

- Applicant details
  - Full name and contact details of the applicant including relevant personnel
  - Brief outline about the applicant and/or personnel's boating/marine experience
- Vessel details:
  - Vessel name, length overall, beam, height, draught
  - Vessel registration, VHF call sign (where applicable)
  - A copy of all relevant certification (commercial vessels)
  - Details of the EWoF number and date of issue/expiry (where applicable)
  - Details of any on board toilets and holding tanks (black and grey water)
  - A copy of all relevant insurance
  - A recent photo (no more than six months old) of the Vessel
- Proposed activity
  - Private or Commercial use (brief description of commercial activity or operations, where applicable)
  - Mooring only or live-aboard (how many living aboard, ages, relationship etc.)
  - Proposed berthing duration (arrival and departure dates)
  - Inclusion of domestic pets (what type and how many)
- Membership
  - Details of any berths held at any other marinas/locations around New Zealand
  - Details of any marine body memberships
- Other
  - Evidence of a valid alcohol licence (where applicable)



## 5. Bookings Advisory Group Evaluation and Berth Assignment Process

### Bookings Advisory Group

The Kaiapoi-Tuahiwi Community Board have approved the formation of a Bookings Advisory Group whose primary function is to assess, vet and approve berth rental bookings in excess of 14 days. The Bookings Advisory Group will include representation from relevant staff, community board/committee members and external stakeholders. The Group will have the sole authority to approve all longer term rental or live-aboard booking applications, and will consider any complaints related to the booking process.

### EOI Submission Evaluation

The Bookings Advisory Group will evaluate all submissions according to the criteria on page 7 and the information provided on page 8. Submissions that do not meet the criteria set out on Page 7 of this EOI Guide will not be progressed. EOI submissions that pass the evaluation will be short-listed to the berth assignment stage.

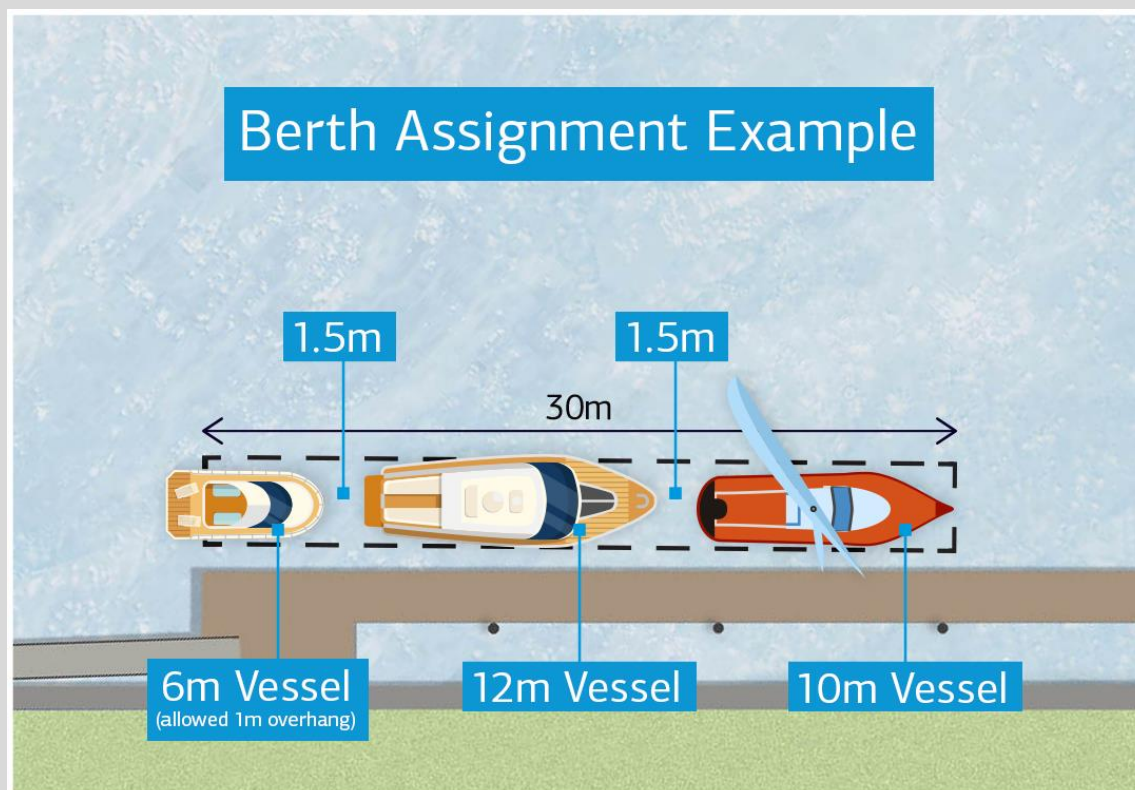
### Berth Assignment Process

The Bookings Advisory Group will undertake a 'drawn by random' system to facilitate the assignment of berths. Once the EOI shortlist has been generated, names will be drawn at random and berths assigned according to the optimal configuration of vessel sizes within the available berth range.

An example of how this process might work is listed below:

- a) The Bookings Advisory Group seeks to assign vessels to the remaining (approx.) 30 metres within the Flexible Lease Berth at the Riverview Pontoon.
- b) The Bookings Advisory Group draws the first applicant at random who has a 10 metres vessel. *This leaves 20 metres left in the total range.*
- c) The Bookings Advisory Group draws a second applicant at random who has a 12 metre vessel. *This leaves 8 metres left in the total range.*
- d) At this stage, the Bookings Advisory Group accounts for manoeuvrability requirements for the current vessels (2 x 1.5 metres between berths) and opts to withdraw 3 metres from the remaining supply leaving 5 metres.
- e) The Bookings Advisory Group draws a third applicant at random who has a 15 metre vessel. The Bookings Advisory Group declines this application as it does not fit within the remaining supply of 5 metres. *The third applicant is then relegated to the first position on the waiting list.*
- f) The Bookings Advisory Group draws a fourth applicant at random who has a 6 metre vessel. The Bookings Advisory Group Council decides to accept this vessel as it can account for the extra 1 metre by allowing the boat to "overhang" a portion of the berth.
- g) The total span of berthing range used by the vessels including manoeuvrability allowances is 31 metres.

The allocation of berths within this example would look like:



Once the berths are assigned applicants must (where applicable) pass any credit, reference or criminal checks as deemed appropriate by the Bookings Advisory Group before a Marine Berth Licence contract is issued.

In the event an applicant fails to pass any of these checks then the Bookings Advisory Group reserves the right to decline the application and remove the applicant from the short-list.

#### Waitlist

Applicants that are unsuccessful in securing a berth through the 'drawn by random' system will be automatically added to the Flexible Lease berth waitlist. The Bookings Advisory Group may deem that the waitlist expires after a twelve (12) month period. At which point, affected applicants may need to re-apply for a berth (or position on the new waitlist, if no berths are available) in accordance with any application dates as specified by the Bookings Advisory Group.

Following the close of the EOI submission process on 7 October, a representative of the Bookings Advisory Group will contact all unsuccessful applicants and confirm their position on the waitlist.

All longer-term berth (14+ days) enquiries received after 7 October 2019 will be automatically added to the waitlist as long as applicants meet the selection criteria and pass the evaluation stage.

Once a berth becomes available, it will be offered to the applicant holding the number one position on the current waitlist assuming their vessel fits within the available berthing slot. Applicant number 2 on the current waitlist then moves into the number 1 position.

## 6. Timeline

The following is the timeline for the EOI process:

Activity	Date Due
Issue EOI	Friday 6 September 2019
Deadline for EOI proposals	Monday 7 October 2019
EOI evaluations concluded	Friday 18 October 2019
Shortlisted parties for Marine Berth Licences contacted	By Wednesday 23 October 2019
Marine Berth Licences issued to shortlisted parties	Late October - Late November 2019

## 7. EOI Requirements and Conditions

### EOI Submissions

Applications are to be submitted containing the information on page 8. The Bookings Advisory Group recommends that all respondents refer to the EOI submission criteria on page 7 before submitting an application. Submissions that do not meet the criteria set out on Page 7 of this EOI Guide will not be progressed.

### Response Format and Delivery

Applicants should direct all EOI applications by the deadline date to:

#### **Waimakariri District Council – Kaiapoi Service Centre**

**In Person:** Ruataniwha Kaiapoi Civic Centre, 176 Williams Street, Kaiapoi

**Email:** [kaiapoi@wmk.govt.nz](mailto:kaiapoi@wmk.govt.nz)

**Online:** [waimakariri.govt.nz/KaiapoiMarinePrecinct](http://waimakariri.govt.nz/KaiapoiMarinePrecinct) (online EOI form)

**Post:** Waimakariri District Council, Private Bag 1005, Rangiora 7440

### Communication

All communications relating to this EOI including requests for clarification or additional information should be directed to:

#### **Waimakariri District Council – Kaiapoi Service Centre**

**Email:** [kaiapoi@wmk.govt.nz](mailto:kaiapoi@wmk.govt.nz)

**Phone:** 0800 965 468 (0800 WMK GOV)

### General Conditions

The Bookings Advisory Group reserves the right to:

- a) Reject all or any EOI responses;
- b) Request and obtain such further information as the Bookings Advisory Group requires;

- c) Discuss the EOI with the applicant at any time before or after the selection of a preferred applicant and upon any terms and conditions;
- d) Shortlist to the 'drawn by random' stage all or none of the applicants;
- e) Amend the closing date, the acceptance date or any other date in the EOI process;
- f) Amend, suspend or cancel this EOI or any associated documents in its entirety.

The Bookings Advisory Group will not be bound to give any reasons for decisions made as a result of the EOI or as an outcome of the EOI evaluation but may do so where it considers this appropriate.

#### Error and Omissions

If the Bookings Advisory Group discovers errors and/or omissions in your response, staff will attempt to notify you as soon as practicable and will require you to either confirm or as the situation requires, withdraw your response. The Bookings Advisory Group accepts no responsibility for any errors or inaccurate descriptions in this EOI, or any associated application documents.

#### No Warranties or Representations

The Bookings Advisory Group makes no representations and gives no warranties as to the information provided in this EOI.

#### Ownership of Response Documents

The responses submitted to the Bookings Advisory Group in response to this EOI shall be retained by the Council. EOI's will not be returned to the parties at the end of the EOI process.

#### Information Complete and Accurate

By submitting your EOI you warrant that all information provided by you to the Bookings Advisory Group in relation to your EOI is complete and accurate in all material respects, and will not breach any third party intellectual property rights.

#### Notification of EOI Outcome

A representative of the Bookings Advisory Group will notify by phone or in writing the applicants that have been selected as preferred respondents or short listed to proceed to the 'drawn by random' berth assignment stage. No legal relationship is created between the parties until a conditional legal contract is entered into between the parties.

The Booking Advisory Group will notify all unsuccessful applicants in writing that their responses have not been successful in a reasonable time following the EOI process, and may offer them the opportunity to sit on the waitlist for a berth.

#### Elimination

The Bookings Advisory Group may eliminate any party from the EOI process if that party:

- Has materially reached a term or condition of the EOI process;
- Is in bankruptcy, receivership or liquidation;
- Has submitted an EOI that contains a material error, omission or inaccuracy;

- Has been banned or had their membership cancelled from any other marina/marine precinct in New Zealand or overseas as a result of offensive or nuisance behaviour;
- Has been convicted of a serious crime or offence.

#### Confidentiality

To the extent that it is legally able to, the Bookings Advisory Group will use best endeavours to keep EOI's received confidential and not disclose confidential information to third parties (unless they are marine related bodies and the Bookings Advisory Group is seeking information related to the response, or the third parties form part of the Council's Bookings Advisory Group) without the applicant's consent.

It is acknowledged by applicants that the Bookings Advisory Group and Council is subject to legislation including (but not limited to) the Local Government Official Information and Meetings Act 1987 and accordingly information provided by the applicants may be required to be disclosed under such legislation.

The Bookings Advisory Group and Council will not be in breach of its obligations if it is required to disclose confidential information to an appropriate authority as a result of relevant legislative processes.

#### Disclaimer

The Bookings Advisory Group and Council will not be liable in any other way whatsoever for any direct or indirect damage, loss or cost incurred by any applicant or any other person in respect of or in relation to the EOI process.

## **8. Complaints Process**

The Bookings Advisory Group is committed to ensuring the EOI and berth rental assignment process is impartial and without prejudice.

If you wish to raise any concerns related to the listed processes, please contact us to register your feedback and a relevant member of staff will contact you accordingly.

**Waimakariri District Council – phone: 0800 965 468 or email: [kaiapoi@wmk.govt.nz](mailto:kaiapoi@wmk.govt.nz)**