

Request for Proposals

for

231 Stuart Street, Dunedin

(formerly known as the Fortune Theatre)



Request for Proposals released: Wednesday 1 July 2026
Closing Date for Responses: 4.00pm Monday 17 August 2026

Opportunity Overview

The Dunedin City Council (**Council**) owns the property at 231 Stuart Street, Dunedin (**Property**).

The Property was formerly known as the Fortune Theatre but it has been vacant since 2018. The Council has decided to market the Property for sale on the open market through this Request for Proposals (**RFP**) process.

The Property is located within Dunedin's central city. It is in a prominent, high-profile position and is recognised as an iconic heritage building.

The Property is in the Central Business District (**CBD**) zone, which allows for many purposes including commercial, residential, community support, large scale retail, licensed premises, recreational, and commercial residential activity.

DCC encourages all interested parties to submit a proposal. DCC is open to hearing from anyone and everyone who would like to purchase the Property and use it in a way that respects and preserves the historic nature of the building.

Key Outcome

Council wants to ensure that the Property is well used and well taken care of, now and into the future.

Council has not made any decisions on whether it would prefer the Property to be used for commercial, community, residential or some other purpose. However, the Council wants to ensure that the Property will be brought back to life through active re-use, and that the Property will be preserved for future generations.

Process

At this initial RFP stage, the Council will not be bound to sell the Property and you will not be bound to purchase the Property. The intention is that Council will select from the proposals it receives to decide which (if any) it wants to advance further. At that next stage, Council would be seeking to negotiate a binding Agreement for Sale and Purchase.

It is the Council's Elected Members (the Mayor and Councillors) that will make the decision on which proposal or proposals (if any) to progress to the next stage.

Section 1: Further information about the Process

1.1 Context

This RFP is an invitation to submit a proposal to purchase the Property.

1.2 Indicative Timeline

| Process Step | Date – NZ time: |
|-----------------------------|------------------------------|
| RFP Released: | Wednesday 1 July 2026 |
| Site Visits: | To be arranged on request. |
| Closing Date for Proposals: | 4.00pm Monday 17 August 2026 |

Once the Closing Date for Proposals has closed, staff will review the responses and prepare a report to Council’s Elected Members (the Mayor and Councillors). It is Council’s Elected Members, and not Council staff, who will decide whether to advance any of the proposals further. Council staff will aim to get a report to Council’s Elected Members as soon as possible after the Closing Date for Proposals.

1.3 Point of Contact

Our point of contact is: Property Officer, Community and Civic, Property Services, phone 477 4000.

All communications and enquiries **must be directed through our point of contact.**

The Property is available for inspection by arranging a visit through the Council’s Property Services Team. Please email city.property@dcc.govt.nz to arrange a site visit.

1.4 Developing your Proposal

This is an open and competitive process.

Please take the time to understand DCC’s requirements.

When submitting your response, you must use the online response form:

www.dunedin.govt.nz/231stuartstreet-rfp-response

1.5 Submitting your Response

Please submit your RFP response using the online form: www.dunedin.govt.nz/231stuartstreet-rfp-response

You can use the Save progress and exit option to save and partially complete the form in stages if required. Using the “Save progress and exit” option does not constitute the formal submission of your response.

1.6 Process Terms and Conditions

This RFP is subject to the Council's standard RFX terms and conditions: www.dunedin.govt.nz/RFX-Terms-and-Conditions.pdf

By submitting a response, you confirm you have read, understood, and accept those standard terms and conditions without reservation or qualification.

1.7 Council's Website

Please check Council's website regularly for updates: : www.dunedin.govt.nz/231stuartstreet

As set out in Section 2.5 of this RFP, Council's website will have additional information available for you to access.

Also, if Council receives any questions about this RFP, Council may decide to post the questions and answers on its website.

Section 2: Further information about the Property

2.1 History of the Property

The Property was constructed for the former Trinity Methodist Church and was opened in 1870. It was then owned and operated by the Fortune Theatre Trust (**Trust**) for professional theatre between 1978 and 2000. In 2000, the Trust approached the Council to assist with the Property. This led to Council buying the Property and leasing it back to the Trust.

In May 2018, the Trust closed the theatre. The Property has remained vacant since then.

2.2 Land Status

The Property is 468 square metres in area and is held in fee simple in Record of Title OT287/25. There are no registered interests or encumbrances.

2.3 Heritage New Zealand Category Status and District Plan

The Property is identified in the heritage schedule (B574) of the Council's Second Generation District Plan (**2GP**). The 'entire external building envelope' of the former church is subject to heritage protection. Additionally, the building is identified by Heritage New Zealand Pouhere Taonga as a Category 1 historic place (List Number 3378).

The 2GP requires a resource consent prior to any external alterations/additions, restoration (to an earlier known form), earthquake strengthening, or demolition that affects the exterior of the building. Repairs and maintenance, or alterations to the interior, will not require resource consent. Heritage New Zealand Pouhere Taonga will be required to provide 'affected party approval' for any resource consent.

The Property's location in the CBD zone provides for a wide range of activities including commercial, recreational, residential, community support, large scale retail, licensed premises, and commercial residential activity. It allows for repairs and maintenance and restoration of a scheduled heritage building but any other additions or alterations are a restricted discretionary activity. Demolition is a non-complying activity.

It is likely that Council will require some form of legal mechanism to ensure that the Property is not land banked or subject to demolition by neglect. This could be in the form of a covenant or some other agreed mechanism.

2.4 Condition of the Building

The Property has been in a "holding" state since it was vacated. Urgent repairs have been made where necessary and emergency systems are functioning.

The building has a current Building Warrant of Fitness based on the building being vacant.

The former church has been designed in a Gothic revival style. The building is constructed in solid masonry and timber, the primary roof is slate, and the secondary roof is clad in copper. Later alterations are constructed in steel and concrete.

The building comprises three levels, basement, ground floor and a mezzanine area.

A condition report was undertaken by Flanders Marlow Limited in 2024. This determined that the building is not fit for occupancy in its current state.

2.5 Additional Documents/Files

The below additional information will be made available on Council's website:

- 1 Response Form (which is the same as the Response Form attached to this RFP)
- 2 Record of Title OT287/25
- 3 231 Stuart Street Report to Council – July 2025
- 4 Condition Report by Flanders Marlow – January 2024
- 5 Estimated Costs by Flanders Marlow to Revert the Building to a Dual Level Tenantable Space – June 2025
- 6 Code Compliance Certificate – September 2007, ABA2005-310127
- 7 Building Plan 1978 5968 Alter Church to Theatre (All Plans)
- 8 Compliance Schedule 2015 amended Fortune Theatre
- 9 Floor Plans
- 10 Initial Seismic Assessment Report – July 2011
- 11 LIM Information

Please note: Council makes no warranties as to the accuracy or reliability of any of this additional information. This additional information is supplied on an indicative basis only. It is for you to undertake your own due diligence.

Section 3: Information Council needs from You

3.1 What we Require

Given that the Property is unique and there are a wide range of potential uses, Council does not propose using fixed evaluation criteria. However, to support Council's assessment of proposals, we want you to provide information that:

- Demonstrates that you have read and understood the Flanders Marlow condition report.
- Demonstrates an understanding of the building's condition and the level of construction required to bring the Property up to an acceptable standard for occupation.
- Indicates how much you think it would cost to bring the building up to an acceptable standard for occupation.
- Describes how the works required to bring the building up to an acceptable standard for occupation would be funded.

(Note: Council will want to be satisfied that you have or will have sufficient funds to bring the building up to an acceptable standard for occupation as Council is wanting to ensure that the building is actively re-used and not land banked or subject to demolition by neglect).

- Describes your experience (if any) in relation to the preservation of buildings with heritage considerations.
- Describes the planned end use for the Property and how it would benefit the city.
- Describes an indicative timeline for undertaking the works to make the building fit for purpose.
- Describes how the building's heritage and historic fabric would be conserved.
- Acknowledges that Council will require some form of legal mechanism to ensure that the Property is not land banked or subject to demolition by neglect and indicates how you think this could be best achieved.

(Note: One option may be through a covenant being registered on the title, but Council is open to hearing from you on this). Acknowledges that Council will require some form of legal mechanism to ensure that the Property is not land banked or subject to demolition by neglect and indicates how you think this could be best achieved.

- Details your:
 - Proposed purchase price for the Property;
 - Proposed settlement date;
 - Proposed special conditions (if any) for the purchase of the Property; and
 - Proposed further due diligence requirements (if any).

These requirements are set out in the example Response Form.

3.2 Confidentiality

If there is any specific information that you want to be treated confidentially, please ensure that the specific information is highlighted and marked “Private and Confidential.” The Council is subject to the Local Government Official Information and Meetings Act 1987 (**LGOIMA**). While Council cannot guarantee confidentiality as it is subject to LGOIMA, Council will take into consideration any requests for confidentiality when it is preparing reports to the full Council and if it receives a request for information under LGOIMA. There are grounds to withhold certain information under LGOIMA.

Section 4: Our Evaluation Approach

- 4.1 Evaluation criteria have not been included because DCC anticipates that proposals may vary considerably in their nature.
- 4.2 The decision whether to progress any proposal(s) to the next stage will be a decision for the Dunedin City Council at a Council meeting.
- 4.3 Council's Elected Members (the Mayor and Councillors) may consider any matters and may apply any weighting to any matters. Without limitation, Council's Elected Members may consider financial and/or non-financial matters and may apply any weighting to these matters.

Section 5: Acknowledgements by You

5.1 By submitting a response to this RFP, you acknowledge that:

- a) **Council Information:** Any information supplied by the Council or its agent, employees, or consultants as part of this RFP process is supplied on an indicative basis only. You will have no claim for compensation or damages upon the grounds that any supplied information is incorrect, incomplete, inaccurate, or misleading.
- b) **Inspection and Investigation:** Prior to putting forward your proposal, you have had a full opportunity for inspection and investigation of the Property.
- c) **Own Judgement:** You rely solely on your own judgement, after such inspection and investigation, and not upon any representation, warranties or statements made by the Council or any of its agents, employees, or consultants.
- d) **No Council Liability:** The Council will not be liable for any cost or loss to you if your proposal is rejected or unsuccessful or if this RFP process is delayed or cancelled for any reason. You are responsible for your own costs of preparing a response to this RFP.
- e) **No Obligation to Advise:** Subject to any Act or regulation of the New Zealand Parliament, the Council will not be bound to give any reason for any rejection of a proposal, or for any suspension or cancellation of this RFP process.
- f) **Statutory Consent Functions:** The Council, in its capacity as a territorial authority, is required to carry out its statutory consent functions under the Resource Management Act 1991, the Building Act 2004 and other legislation in accordance with the provisions of those statutes. The Council is bound by its statutory obligations to exercise its powers, including discretionary powers and duties under the legislation, without regard to any relationship which it may have with you under this RFP.
- g) **Granting of Consents:** The granting by the Council of any consent(s) (as territorial authority under the Resource Management Act 1991 and/or the Building Act 2004 and/or any other legislation) will not of itself be deemed to be a consent or approval by Council as owner of the Property, and vice versa.
- h) **Staff's role:** Throughout this RFP process, including any subsequent negotiations, Council staff do not have the power to bind the Council to a sale of the Property.
- i) **Formation of contract:** A contract for the purchase of the Property will only be concluded at the point in time when:
 - i) The Dunedin City Council at a Council meeting has resolved to sell the Property to you; and
 - ii) A written agreement for sale and purchase (using ADLS/REINZ Agreement for Sale and Purchase of Real Estate – Eleventh Edition 2022 (4)) has been signed by you and a duly authorised officer of the Council.

Example Response Form

Instructions

Please submit your RFP response using the online form:

www.dunedin.govt.nz/231stuartstreet-rfp-response

You can use the Save progress and exit option to save and partially complete the form in stages if required. Using the “Save progress and exit” option does not constitute the formal submission of your response.

Responses must be submitted by Monday at 4.00 p.m. 17 August 2026

In response to the Request

by: **Dunedin City Council**

for: **Proposals for the purchase of 231 Stuart Street (Property)**

The Respondent

Your Profile *(required)

(please select the statement that applied)

This is a Proposal by the Respondent alone to fulfil the Requirements.

OR

This is a joint/consortium Proposal, submitted by the Respondent to fulfil the Requirements.

| Item | Detail Name of organisation in joint/consortium proposal <i>(if applicable)</i> |
|---|---|
| Full legal name: | |
| Physical address: | |
| Postal address: | |
| Registered office (if applicable): | |
| Business website (if applicable): | |
| Legal Status / Type of Entity (legal status): | |
| Registration number: | |
| Country of residence: | |
| GST registration number (if applicable): | |

Our Point of Contact

| Item | Detail |
|----------------------|--------|
| Contact person: | |
| Position: | |
| Phone number: | |
| Email address: | |
| Alternative Contact: | |

1 Response to the Requirements

Overview

Overview

Please provide an overview of your proposal.

For example, describe why your response should be selected by the Council. Why does your response provide the best outcome and meet Council's objectives?

What We Require

- 1 Please demonstrate an understanding of the building's condition and the level of construction required to bring the Property up to an acceptable standard for occupation.

- 2 Please indicate how much you think it would cost to bring the building up to an acceptable standard for occupation.

| | |
|---|---|
| 3 | <p>Please describe how the works required to bring the building up to an acceptable standard for occupation would be funded.</p> <p><i>(Note: Council will want to be satisfied that you have or will have sufficient funds to bring the building up to an acceptable standard for occupation as Council is wanting to ensure that the building is actively re-used and not land banked or subject to demolition by neglect).</i></p> |
| 4 | <p>Please describe your experience (if any) in relation to the preservation of buildings with heritage considerations.</p> |
| 5 | <p>Please describe the planned end use for the Property and how it would benefit the city.</p> |
| 6 | <p>Please describe an indicative timeline for undertaking the works to make the building fit for purpose.</p> |
| 7 | <p>Please describe how the building's heritage and historic fabric would be conserved.</p> |

8 Please acknowledge that Council will require some form of legal mechanism to ensure that the Property is not land banked or subject to demolition by neglect and indicate how you think this could be best achieved.

(Note: One option may be through a covenant being registered on the title, but Council is open to hearing from you on this). Acknowledges that Council will require some form of legal mechanism to ensure that the Property is not land banked or subject to demolition by neglect and indicates how you think this could be best achieved.

9 Please detail your:

- Proposed purchase price for the Property;
- Proposed settlement date;
- Proposed special conditions (if any) for the purchase of the Property; and
- Proposed further due diligence requirements (if any).

10 Is there anything else that you want Council to know or consider?

Supporting Information

Please upload any attachments to your response. For example, if you have any proposed plans or specifications for the building, these could be included.

Supporting Information - You can load up to 6 files by using the + button. Each file must be a maximum size of 5MB. Files may only be of doc, docx, jpg, jpeg or pdf type and no larger than 5MB in file size)

2 Declaration

Note: The following are formal declarations:

| Declaration | | |
|---|---|-------------|
| Topic | Statement | Declaration |
| RFx Process, Terms and Conditions: | I/we have read and fully understand this RFP, including the Council's standard RFx Terms and Conditions on the Council website and the Acknowledgements in Section 5 of this RFP. I/we confirm that the Respondent/s agree to be bound by them. | |
| Requirements: | I/we have read and fully understand the nature and extent of the Council's Requirements as described in Section 3.1. | |
| Ethics: | In submitting this Proposal, the Respondent/s warrants that it has not attempted to influence, or provide any form of personal inducement, reward or benefit to any representative of the Council. | |
| Conflict of Interest declaration: | The Respondent warrants that it has no actual, potential or perceived Conflict of Interest in submitting this response. Where a Conflict of Interest arises the Respondent/s will report it immediately to the Council's Point of Contact. | |

DECLARATION

I/we declare that in submitting the response and this declaration:

- the information provided is true, accurate and complete and not misleading in any material respect.
- I have read and understood the Flanders Marlow condition report.
- the response does not contain intellectual property that will breach a third party's rights.
- I/we have secured all appropriate authorisations to submit this response, to make the statements and to provide the information in the response and I/we am/are not aware of any impediments to entering into an Agreement for Sale and Purchase of the Property should my/our proposal be advanced to the next stage of negotiating a purchase of the Property.

I/we understand that the falsification of information, supplying misleading information or the suppression of material information in this declaration and the response may result in the response being eliminated from further participation in the RFx process or evaluation.

By signing this declaration, the signatory below represents, warrants, and agrees that he/she has been authorised by the Respondent/s to make this declaration on its/their behalf.

| | |
|------------------------------|--|
| Full Name: | |
| Title/Position: | |
| Name of Organisation: | |