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# Forrester Heights

PUBLIC CONSULTATION

Have  
your say



Forrester Heights  
is YOURS

- ✓ It's owned by the Council
- ✓ It belongs to the community
- ✓ It's your asset

What do you  
want us to do  
with it??

# Forrester Heights quick facts

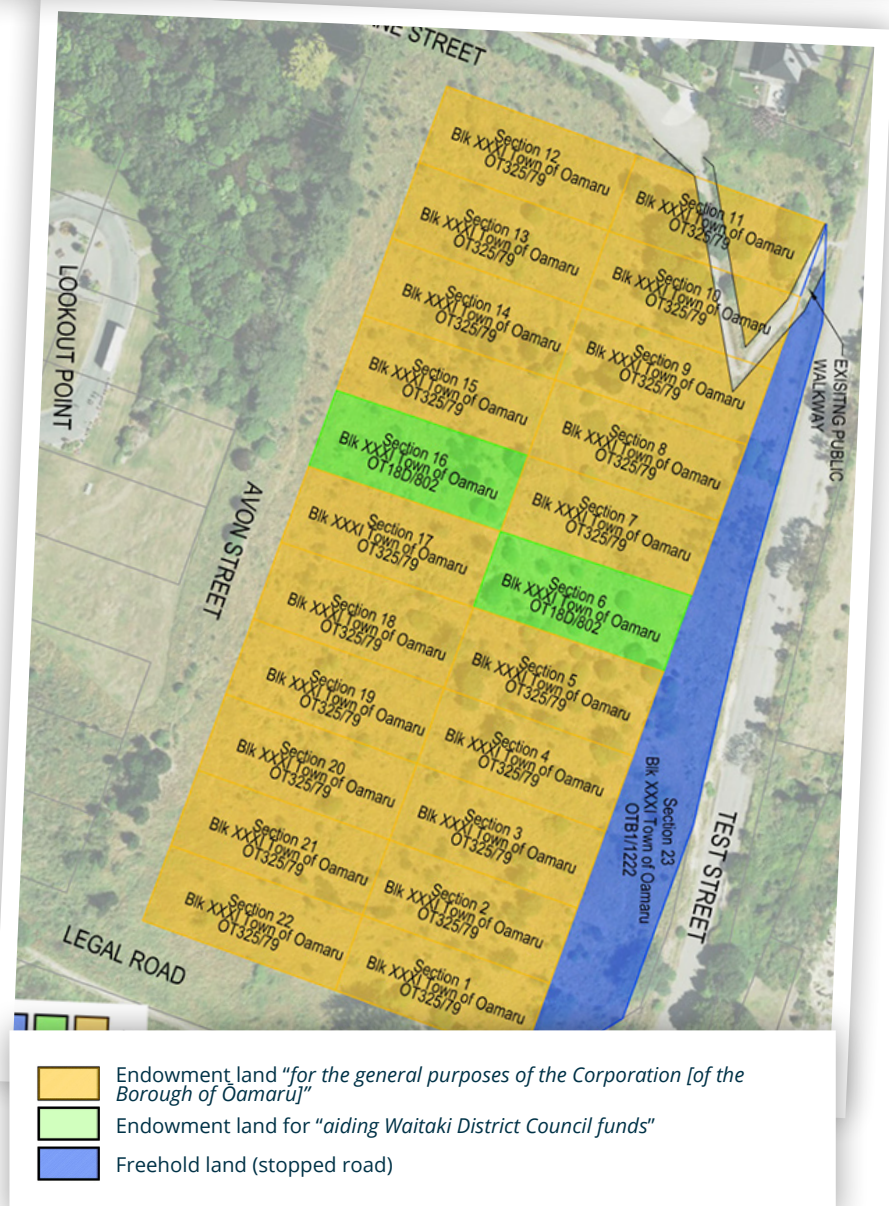
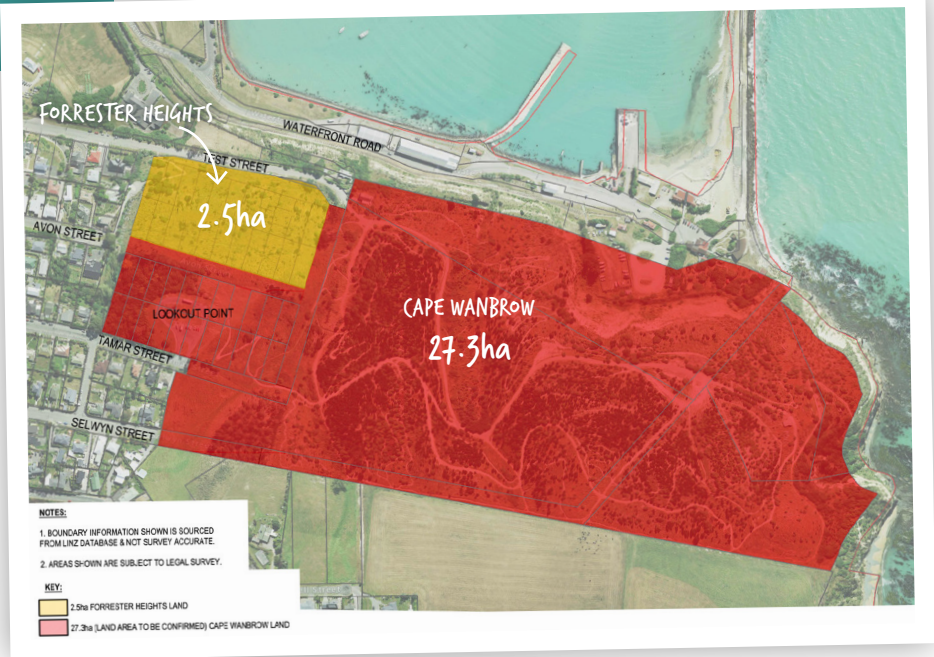
- Located above Ōamaru Harbour, below Lookout Point, between Avon and Test Streets
- About 2.5 hectares (6.2 acres) in three separate parcels
- Most of it is 'Endowment land'\*, the rest is 'Freehold land'\*
- All of the land is zoned 'residential'
- In 2006 Council wanted to develop and sell 27 sections at the site but this project stalled after it was found a mistake had been made with one of the land titles 59 years earlier (in 1947)
- This was corrected in Parliament with a Local Act (the *Waitaki District Council Reserves and Other Land Empowering Act 2013*). The Act confirmed the majority of Forrester Heights is Endowment land.

## \*What is Endowment land?

'Endowment land' is land given to (vested in) a Council to be used for revenue generating purposes. A Council can sell Endowment land in accordance with Local Government Act 2002, and the sale proceeds must be used for purposes consistent with the Endowment. In this case, the Endowment purposes are: "*aiding Waitaki District Council funds*" and "*for the general purposes of the Corporation [of the Borough of Ōamaru]*". For the full legal definition and other information, go to [www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights)

## \*What is Freehold land?

'Freehold land' is land owned outright by a Council. In this case the 'freehold land' was formerly legal road. The road status was removed some time ago, and the land can be used for other reasons. This means it could become a reserve or be sold.



# Cape Wanbrow

Forrester Heights

**Forrester Heights was given to the community for the community's financial benefit. The question now is: What do you want us to do with it?**

Most of the land at Forrester Heights is classified as 'Endowment' land and zoned residential as described on page 2. It was given to Council by the Crown 'in aid of borough funds'. The Council planned to develop the land and sell it in 2006 to do just that – to aid borough funds by supporting the redevelopment of the Opera House from the proceeds of the sale, rather than increasing rates.

That development didn't go ahead, for the reasons mentioned on page 2.

Now people are coming to us again wanting to buy the land, while others are wanting to turn it into a Reserve.

We know funds are tight. People are telling us they want to keep rates rises down. But there's still a lot of things people want Council to do. How do we pay for the things people want?

Should we do what the Council decided to do in 2006 – sell Forrester Heights? Or should we do something else with it? Selling some or all of the land could help pay for the things people want which benefit the community. Or perhaps the land could provide a benefit in other ways?

**We know people care about Forrester Heights. Some think it should never be sold or developed and should be made into a reserve for everyone to enjoy. Do you agree? Or do you think it could be used in other ways to provide a benefit to the community?**

**What do YOU want us to do with Forrester Heights?**

*Now's your chance to tell us*

## What are the options?

- 1. Make Forrester Heights a Reserve**
- 2. Sell some or all of Forrester Heights and use the funds to benefit the community**
- 3. Leave Forrester Heights as it is for now**

*Check out the options on the next three pages and then give us your feedback online or on page 11.*

## OPTION 1

# Make Forrester Heights a Reserve

**We could try to turn all (or some) of Forrester Heights into a Reserve, with new plantings and walking tracks. But it wouldn't be easy because most of it is Endowment land.**

If the land was Freehold, the process to make it a Reserve is relatively easy. The way to do that is set out in the Reserves Act 1977. But most of Forrester Heights is Endowment land. To properly classify and administer the land as a Reserve, the legal status of the land would need to be changed. There are only two ways to remove the Endowment status:

- (1) through an Act of Parliament (see more on page 8); or
- (2) by selling the land.

A new Reserve at Forrester Heights would not be accessible for everyone. If we were to invest in more greenspace reserve, would it be better to have it somewhere else where more people could use it and enjoy it?

### ✓ PROS

- ✓ We would have a new Reserve that would add more of what people enjoy on Cape Wanbrow now.
- ✓ New plantings would add more habitat for wildlife in this area.
- ✓ The land would not be built on so it would stay open space.
- ✓ Some people think Forrester Heights is a reserve now. This would make it one.

### ✗ CONS

- ✗ Changing Forrester Heights from Endowment land to a Reserve would need us to have a local Act passed in Parliament to create a new law. That would cost money, it could take several years, and in the end, may not get passed (for more info on this, see Page 8).
- ✗ Setting up the new Reserve would also add to the rates bill. We already spend nearly \$2 million per year looking after parks and reserves. Another Reserve would add to that (more info on Page 8).
- ✗ Forrester Heights may not be the best site for a new Reserve. Because of its slope, it would need to be developed the same as other parts of the Cape. We have most of Ōamaru's reserves in the South End of town while there is very little in the North End.
- ✗ The land would not be sold, so we would not have additional funds to use for purposes consistent with the Endowments.

## Sell some or all of the Forrester Heights land

**We could do this in a number of ways. We could call for tenders or sell it on the open market. Council could be the developer and sell the sections on its own. Or we could set up a joint venture.**

If Forrester Heights was offered for sale, the market would set the price. But we would only sell if the price was right. Council would definitely have conditions that would keep the character of the area. Those conditions will include height limits and house design rules.

If our conditions were met and a sale went ahead, the proceeds could be used in several ways. We could use the money to pay for a new service or facility like a new reserve in another part of Ōamaru or to help fund the new Waitaki Events Centre. Or we could invest it to generate a return to support services and reduce rate increases. We could also pay down debt, or even do a combination of all those things. See more about this on page 10.

The key thing is that we would need to spend the money in a way that made a big difference and gave real benefit to the community - now and in the future.

If Council decided to offer Forrester Heights for sale after considering community feedback and all the pros and cons, and a sale did go ahead, the community would be consulted on specific options for how the money would be used. If the decision was made to sell only part of the land, then one of the other two options would apply to the remainder.



### PROS

- ✓ The money from the sale would be used for the community's benefit.
- ✓ Any new households on Forrester Heights would pay rates.
- ✓ As landowner, as part of any sale, the Council would set rules (called covenants) that would control development even more than the current planning rules. The rules would deal with height limits, house design, and would protect views from Lookout Point.



### CONS

- ✗ If the land was developed by Council before sale, it might mean extra costs and risks for us.
- ✗ With houses on the land, it would look different and some open greenspace would be lost.
- ✗ Having height and design rules may mean we get less when we sell the land.

## OPTION

3

# Leave Forrester Heights as it is for now

**Do nothing. Don't develop it or change it. Spend the bare minimum on it now. Because of how Endowment land must be used, we would eventually have to use the land to generate revenue – just not right now.**

### ✓ PROS

- ✓ The land may continue to gain value, meaning a potential higher return in future.
- ✓ Council could focus on other priorities and projects.
- ✓ We would retain the value some people see in the land as open, undeveloped space for now.

### ✗ CONS

- ✗ We could be missing the best time to get a good return on the land.
- ✗ We would not have money from the sale to invest or use for other things people want.
- ✗ Development costs are likely to go up over time. This may be the cheapest time to develop the land making it more attractive to a potential buyer.
- ✗ Council would not actively invest in the land and some people think it's a bit of an eyesore in its current state.
- ✗ Doing nothing doesn't solve anything. It just puts the decision off for another day.
- ✗ The land would continue to have 'holding costs' (rates, etc) while generating no return.

Tell us which option you prefer on the feedback form on page 11, or use our online form, before 5pm Monday 16 May

**Think there's another option?  
Let us know!**

## **How can you give us your feedback online?**

**Go to:**

**[www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights)**

**And fill in the online form**



## **Want more details?**

Go to the consultation page on our website: [www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights) or visit one of Council's offices or District Libraries.

You can find everything you need to know, including:

- legal titles
- relevant legislation
- survey plans and images
- technical reports

## **Do you have questions?**

- There are answers to some Frequently Asked Questions (FAQs) on the following pages, but you can also email your own questions to: [forresterheights@waitaki.govt.nz](mailto:forresterheights@waitaki.govt.nz)
- We'll be adding more FAQs to our website as they come in: [www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights)
- Come see us at the Farmers' Market on alternate Sundays - starting Sunday 10 April. We'll be there with Wanda the caravan and happy to answer your questions.
- Invite us along to your organisation's next meeting or ask questions by emailing: [forresterheights@waitaki.govt.nz](mailto:forresterheights@waitaki.govt.nz)
- Follow us on Facebook - we'll be posting videos and answering questions there too.

## Some frequently asked questions (FAQs)

### Could Forrester Heights be a reserve?

Potentially. But it would take time and money, and there is no guarantee of success. Most of Forrester Heights - two of the three titles - is Endowment land, so its legal purpose is to raise funds for the community's benefit. If we were going to classify the land as a Reserve, then the Endowment status would need to be removed. Unless the land is sold to another party, only Parliament can do that. It would need to pass a Local Act removing the Endowments and creating the Reserve and that could cost \$100,000 or more. You can find out more about what a Local Bill involves here:

[www.parliament.nz/media/4600/introducing-local-and-private-bills.pdf](http://www.parliament.nz/media/4600/introducing-local-and-private-bills.pdf)

### How would Forrester Heights look if it was a Reserve and how much might it cost?

In addition to the costs of removing the Endowment status, it depends on what kind of Reserve it was. Because of the slope it would need to be developed like the Cape Wanbrow Reserve beside it. Planting native shrubs and trees would cost around \$40,000 per hectare, making a total planting cost of \$100,000 for the 2.5 hectares. It's harder to say how much walking tracks would cost. It would depend on how long the tracks are, but track building costs are about \$60 per metre so every 100 metres would cost \$6,000. Maintenance costs for the Reserve would be about \$5,000 per year for first 5 years.

Some money could be saved if jobs were done by volunteers but based on what's happened in the past with Cape Wanbrow, paid contractors would do the bulk of the work.





## What would Forrester Heights look like if homes were built there?

Right now, the land is zoned 'residential'. That means houses can currently be up to 8 metres high. You can see how this would affect views from Lookout Point at [www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights) - or at Council offices and libraries. If the land was sold, we would have rules (covenants) setting lower height limits for houses and trees to protect the views from Lookout Point.

## Is the Forrester Heights land unstable?

No. Several geotechnical tests of the land have been done. The reports show that most of the land can be built on. If you want to see these reports, go to [www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights)

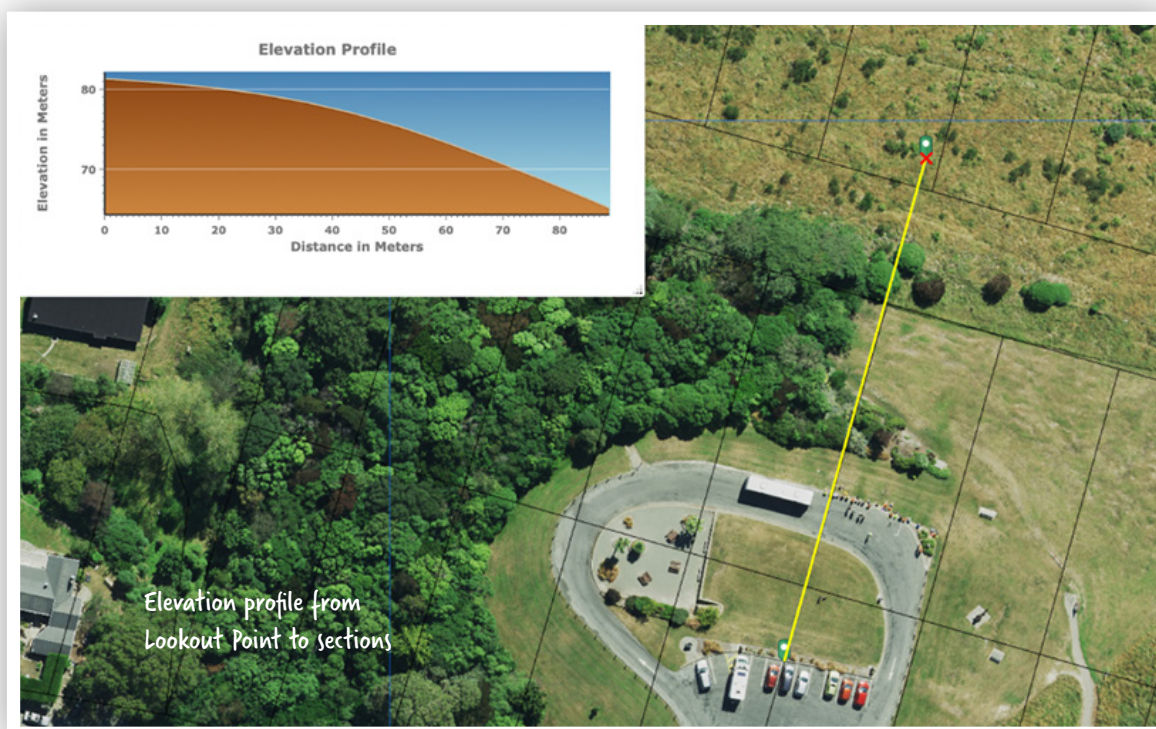
Below: Visualisations of the view from Lookout Point with buildings (at maximum height currently allowable - (Council would put height and other covenants in place to further reduce the visual impact )



View from the Lookout Point carpark



View from the wooden seat



Elevation profile from Lookout Point to sections

### **How could the money be spent if the land was sold?**

The Local Government Act 2002 does have rules about this. If Endowment land is sold, the money raised must be used to benefit the community. One way that could happen would be to use the funds to pay for some new service or facility that would benefit people, like helping to fund the Waitaki Events Centre or a new Reserve in another part of Ōamaru that more people can access. Another way would be to invest the sale proceeds to create an income stream for future generations. Or we could pay down debt or even do a mix of all those things.

**The key thing is that we would need to spend the money in a way that made a big difference and gave real benefit to the community.**

To find out more about the legal requirements, go to [www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights)

### **Wasn't the money from Forrester Heights going to be used to help pay for the Opera House?**

Yes, that was the plan back in 2006, when Council decided to sell the land. And that could still be done. But it doesn't have to be. If we sell Forrester Heights now, we could use the funds to pay for other things - like developing one or more new parks, paying off debt, funding another community projects, or a mix of these things. We could also invest the money in ways that would give the benefit of a better financial return, to produce long term returns for current and future generations of ratepayers to enjoy.

**If you'd like to see more FAQs, or you've got questions of your own, go to:**  
**[www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights)**

# Forrester Heights

## FEEDBACK FORM

Have  
your say



Please get your feedback in by  
5pm on Monday 16 May

Fill in our online feedback form at [www.waitaki.govt.nz/ForresterHeights](http://www.waitaki.govt.nz/ForresterHeights) - you can upload any extra documents and attachments to the online form or

- Email:** forresterheights@waitaki.govt.nz  
**Post:** Forrester Heights Feedback  
 Waitaki District Council, Private Bag 50058, Ōamaru 9444  
**Deliver:** Drop it off at any Council office or district library



### Your contact details: (please print clearly)

Full name: .....  
 Organisation (if applicable): .....  
 Postal address: .....  
 Email: ..... Phone: .....

### Do you want to speak to your feedback at a Council meeting?

Yes  No

If you choose yes, we will be in touch to arrange a time.

## What do you want us to do with Forrester Heights? Tell us here:

Please indicate your level of support or opposition to the options being considered by ticking **one** of the boxes in each row. Your answer will help Council decide alongside consideration of the pros and cons, and benefits to current and future generations.

Options	Strongly disagree	Disagree	Neutral	Agree	Strongly agree
Try to make Forrester Heights a Reserve	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sell some or all of the Forrester Heights land and use the funds to benefit the community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leave Forrester Heights as it is for now. Do nothing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

