

## 5.2 FORRESTER HEIGHTS

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**Attachments:**

1. **Appendix A - Forrester Heights Record of Title**
2. **Appendix B - Waitaki District Council Reserves and Other Land Empowering Act 2013**
3. **Appendix C - Significance and Engagement Assessment**
4. **Appendix D - Summary of Proposed Engagement Process**

### RECOMMENDATIONS

That Council:

1. Instructs Officers to carry out a public engagement process to discern the community's views on the future of Forrester Heights;
2. Instructs Officers to compile feedback from a public engagement process on a range of options and present it to a future Council meeting to enable a decision to be made on the future of the site;
  - a) Options to provide for feedback to include:
    - i) Do nothing given the current environment
    - ii) Set aside the land as a greenspace reserve
    - iii) Develop the land as a reserve similar to Cape Wanbrow
    - iv) Set aside part of the land as greenspace reserve, and develop the remainder
    - v) Sell the land "as is" through a tender or similar open market process;
    - vi) Seek partners for a joint venture in developing the land;
    - vii) Council develop the land on its own as previously planned.
3. Instructs Officers to carry out parallel works to determine which approach will provide the best return for the ratepayer on a risk / return basis.

### DECISION OBJECTIVE

To consider the potential options in relation to 2.5390 hectares of land at Cape Wanbrow, known as Forrester Heights, and the level of engagement to be undertaken with the community should Council wish to proceed further.

### SUMMARY

Consent for a 27-lot subdivision at Forrester Heights was originally granted in 2006 but, due to uncertainty with the titles, a Reserves and Other Lands Disposal Bill was submitted to Parliament and was enacted in February 2013. The Act changed the status of the Forrester Heights land from Reserve to Endowment, correcting an error made in 1937 by the District Land Registrar. This confirmed Council's legal entitlement to sell the land for residential sections or any other purpose.

In recent months, Council has been approached by multiple parties interested in purchasing land at the site.

In July, elected members requested that a report be brought back for consideration on the land's future and any associated public engagement process.

**DECISION-MAKING EXPECTATIONS**

Governance Decision-Making:	For Council to decide on whether to proceed with a public engagement process on the future of 2.5390 hectares at Forrester Heights.
Operational Decision-Making:	To prepare any required information relating to the decision.
Communications	Media Releases – contributed to by officers and Elected Members  Media/public enquiries regarding governance decision-making topics above can be addressed by governance  Media/public enquiries regarding operational decision-making topics above can be addressed by officers

**SUMMARY OF DECISION-MAKING CRITERIA**

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	No
Legal	No	Cultural Considerations	Moderate
Significance	Key	Social Considerations	Moderate
Financial Criteria	No	Economic Considerations	Moderate
Community Views	Key	Community Board Views	No
Consultation	Moderate	Publicity and Communication	Key

**BACKGROUND****Land status**

Council owns land located at Test Street, Cape Wanbrow, Ōamaru commonly known as Forrester Heights. The land is zoned Residential under the Waitaki District Plan, with residential development deemed a 'permitted activity' under the Plan.

A 27-lot subdivision consent was originally granted to Council for Forrester Heights on 10 February 2006. The consent was appealed, and the Environment Court issued a revised consent on 11 October 2006. The consent was for a period of five years, and this was renewed for a further five years on 10 March 2011. The consent lapsed on 11 October 2016, which means a new consent would need to be submitted and granted for a subdivision to be progressed at the site in the future.

When the original subdivision consent was submitted on 10 February 2006, title to the land was unencumbered. Sometime before March 2006, Land Information New Zealand (LINZ) amended the title to show a purpose of "Reserve for an endowment in borough funds".

This Reserve Endowment amendment made the status of the title unclear as the Reserves Act 1977 may also apply to any site development. Given this uncertainty, the subdivision consent as it stood could not go ahead.

Further investigation clarified that the Reserve endowment status on the land was mistakenly put on the title in 1937 by the District Land Registrar. LINZ was asked to remedy the Reserve classification, but the process to correct the title was to add the land to section 20 of the Reserves and Other Lands Disposal (ROLD) Bill. The ROLD Bill also sought to declare the land to be vested in the Waitaki District Council as an "Endowment property for the purposes of aiding Waitaki District Council funds". A record of title is attached as Appendix A.

The ROLD Act was passed on 23 February 2013, amending the land's Reserve status to Endowment status, therefore enabling the Council to sell or develop the land under Sections 140 and 141 of the Local Government Act 2002.

A copy of the Reserves and Other Lands Disposal Act 2013 is attached as Appendix B.

### Community and buyer interest

The proposed subdivision of Forrester Heights generated significant community interest at the time, both from those interested in purchasing sections and those opposed to further residential development in the Ōamaru Harbour and Cape Wanbrow area.

The Ōamaru Harbour area is significant to many Ōamaru residents, and recent consultation on the Ōamaru HarbOUR Plan in 2019 highlighted ongoing opposition from some in the community to residential development at Forrester Heights. This will need to be considered as part of any Council decision-making on the land's future.

While giving due consideration to community views is paramount, Council must also consider the recent interest in Forrester Heights from potential buyers and developers, and the potential income selling the land could generate for the benefit of the community, which could be used to pay down debt and / or invest in projects of value to the community.

### SUMMARY OF OPTIONS CONSIDERED

**Option 1** – Proceed with community engagement to determine the future of Forrester Heights (Preferred)

**Option 2** – Direct the Chief Executive to proceed with a market sale process for Forrester Heights

**Option 3** – Defer considering the future sale or development of Forrester heights.

### ASSESSMENT OF PREFERRED OPTION

Proceed with community engagement to determine the future of Forrester Heights

Under this option, Council would seek the community's input on the future of Forrester Heights before deciding on whether or not to proceed with selling the land. This option would require a well-planned and resourced engagement process, with sufficient information provided for the public to be informed on options.

The various options could include options ranging between:

- Develop the land as a reserve;
- Leave as is for now
- Sell the land for residential development;
- Council to develop the land as a developer.

Officers will endeavour to undertake this work over the next nine months, for a final decision by elected members in May 2022. This will allow Officers to accommodate the work necessary for this process within existing work programmes.

For Council's consideration, a summary of a proposed engagement process is included as Appendix D, which can be further developed should Council decide to progress with this option.

Advantages	Disadvantages
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<ul style="list-style-type: none"> <li>○ Allows the community input into the future of land that is known to be of high value to them</li> <li>○ Is consistent with Council’s Significance and Engagement Policy* (in that the decision is considered to be significant, and therefore, according to the Policy, requires engagement beyond the level of informing – ie a consultation process)</li> </ul>	<ul style="list-style-type: none"> <li>○ Will require investment into a well-planned and promoted engagement process with the community</li> <li>○ Adds to the cost and time involved with the process, and costs cannot be recovered if a sale does not proceed as a result of the engagement</li> <li>○ Depending on the outcome of consultation, Council may not be able to recover costs incurred to date or realise profits from a sale that could be invested into paying down debt and/or investing into other projects of community value</li> </ul>
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Under option 2, Council would delegate Council’s Chief Executive to proceed with a market sale of the site. Under this option the community would be informed rather than engaged. Officers have reviewed the various options for sale of the site, and a competitive tender process would likely be preferred. This option has the key advantages and disadvantages outlined in the table below.

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>○ Council may not be competing with local developers</li> <li>○ Enables Council to ascertain market interest without having to commit to a subdivision</li> <li>○ Allows the Council the ability to undertake a subdivision if the offered purchase price does not meet expectation</li> <li>○ A premium sale price is possible</li> <li>○ Provides immediate cashflow to Council, allowing Council to recover costs incurred to date and to use sale profits to pay down debt and/or invest into other projects of community value</li> </ul>	<ul style="list-style-type: none"> <li>○ Sale commission costs would reduce potential profits</li> <li>○ Loss of Council control of how the land is subdivided</li> <li>○ The community does not get a say on the land’s future</li> <li>○ Is not consistent with Council’s Significance and Engagement Policy* (in that the decision is considered to be significant, and therefore, according to the Policy, should involve a higher level of engagement beyond just informing)</li> </ul>

\*A copy of an assessment of significance against Council’s Significance and Engagement Policy is included as Appendix C.

Under option 3, Council would defer further consideration of the sale or development of Forrester Heights until a later date.

The expected value of the land that may be realised on its sale is likely to continue to increase. Delaying any future sale or development enables Council to continue to realise capital value increases until such time as it decides to dispose of the property.

In addition, the current works programme is significant, and the effort required to maximise the income generated from the sale or development of the land is substantial. In order to reduce reliance on external resources (and thus increase costs), community engagement and market sale could be deferred to a later date.

**CONCLUSION**

Due to the degree of community interest anticipated in the sale or development of Forrester Heights and the assessment of this item under the significance and engagement policy, a public engagement process would be most appropriate to discern the views of the community prior to making a decision.

Due to current workloads, staff would undertake this work over the next nine months to enable a decision by Council in May 2022.

**ADDITIONAL DECISION-MAKING CONSIDERATIONS****Outcomes**

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities so people want to stay and move here

**Policy and Plan Considerations**

A significance and engagement assessment of the sale or development of the land has been appended. It concludes that it would be a significant decision.

**Community Views**

The development of Forrester Heights was historically a contentious issue. It is likely that community views will still be divided on this issue.

**Legal Considerations**

Council has the legal right to sell or develop the land if it so chooses.

**Publicity and Community Considerations**

The development of Forrester Heights was historically a contentious issue. It is likely that community views will still be divided on this issue.



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



*R. W. Muir*  
Registrar-General  
of Land

Identifier **OT325/79**  
Land Registration District **Otago**  
Date Issued 08 August 1947

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Estate	Fee Simple
Area	2.0234 hectares more or less
Legal Description	Section 1-5, 7-15, 17-22 Block XXXI Town of Oamaru

**Registered Owners**  
Waitaki District Council

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**Interests**

245256 Order in Council consenting to the closing of portions of Test Street fronting Sections 1-5 and 7-11 inclusive - 30.4.1962 at 9.13 am

Pursuant to section 7 Waitaki District Council Reserves and Other Land Empowering Act 2013 the within land is vested in the Waitaki District Council as an endowment property for the purposes of aiding Waitaki District Council funds

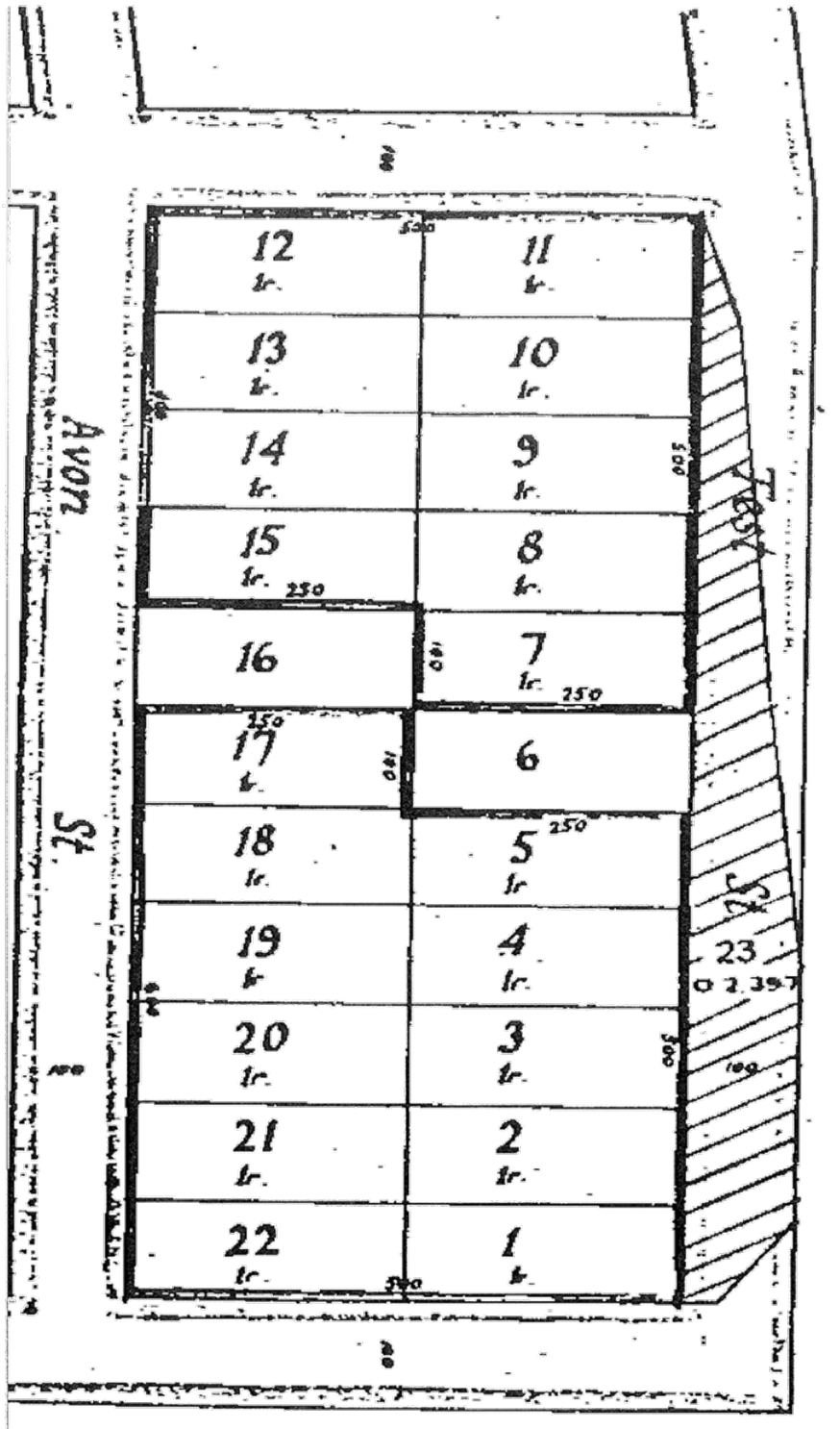
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Transaction Id  
Client Reference mscott010

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Identifier

OT325/79



Transaction Id  
Client Reference mscott010

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Register Only



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Limited as to Parcels  
Search Copy**



*R. W. Muir*  
Registrar-General  
of Land

Identifier **OT18D/802**  
Land Registration District **Otago**  
Date Issued 10 September 1999

Prior References  
OT241/150

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Estate Fee Simple  
Area 4048 square metres more or less  
Legal Description Section 6 and Section 16 Block XXXI  
Town of Oamaru and Section 4 and  
Section 14 Block XXXII Town of Oamaru

Registered Owners  
Waitaki District Council

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Interests

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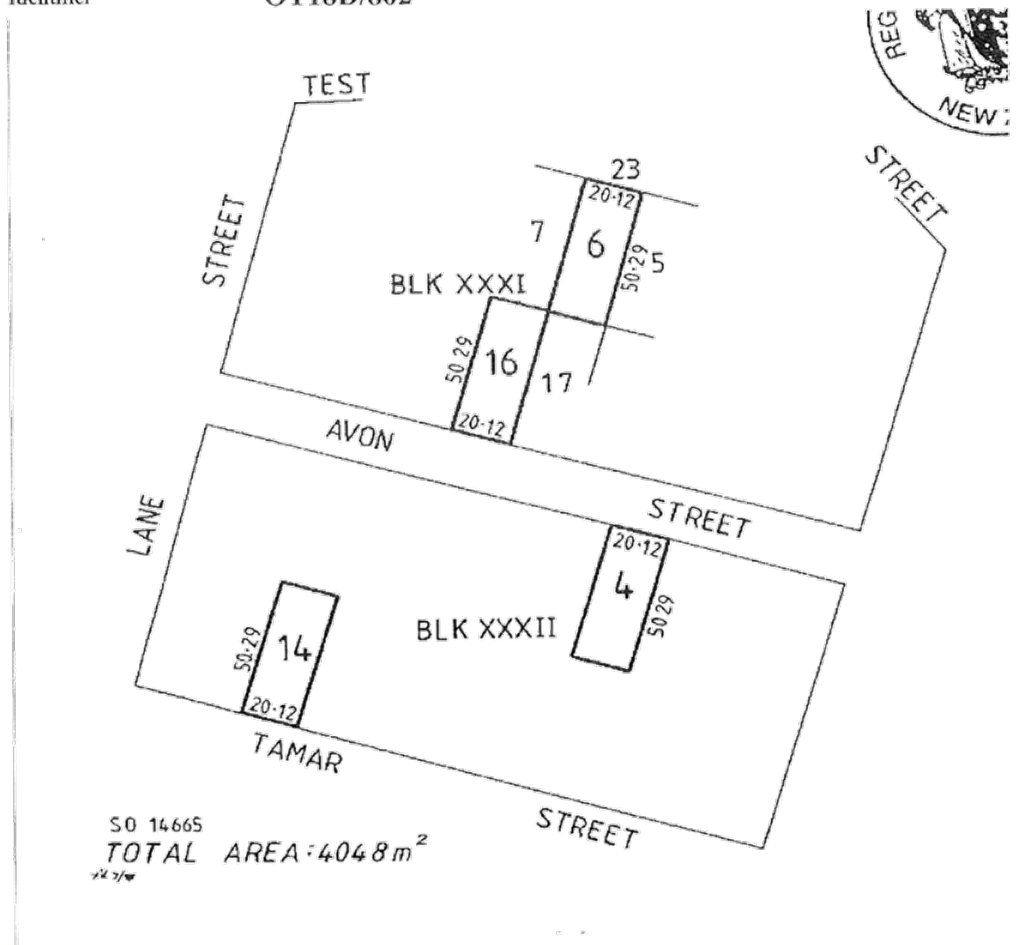
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Identifier

OT18D/802



Transaction Id  
Client Reference mscott010

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**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
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 R. W. Muir  
 Registrar-General  
 of Land

**Identifier** OTB1/1222  
**Land Registration District** Otago  
**Date Issued** 20 November 1962

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**Estate** Fee Simple  
**Area** 3028 square metres more or less  
**Legal Description** Section 23 Block XXXI Town of Oamaru

**Registered Owners**  
 Waitaki District Council

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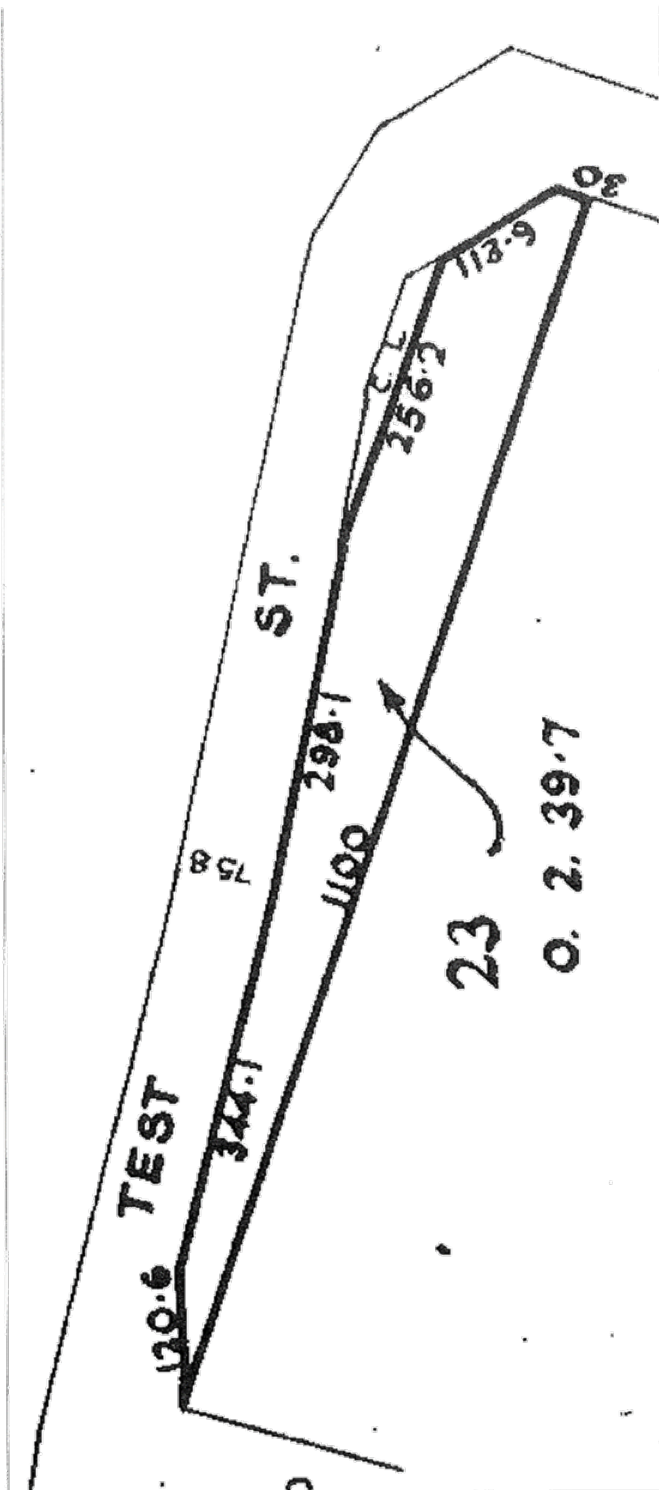
**Interests**

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*Client Reference* mscott010

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Identifier

OTBI/1222



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Client Reference mscott010

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## Waitaki District Council Reserves and Other Land Empowering Act 2013

Local Act 2013 No 1  
Date of assent 26 February 2013  
Commencement see section 2

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	<b>Land vested in Council</b>	

s 1 Waitaki District Council Reserves and  
Other Land Empowering Act 2013 2013 No 1

**The Parliament of New Zealand enacts as follows:**

- 1 Title**  
This Act is the Waitaki District Council Reserves and Other Land Empowering Act 2013.
- 2 Commencement**  
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Interpretation**  
In this Act, unless the context otherwise requires,—  
**Council** means the Waitaki District Council  
**land** means the land described in the Schedule  
**Lookout Point land** means the land described in Part 3 of the Schedule  
**registered proprietors** means the persons who are registered as the proprietors in Computer Freehold Register 187727  
**Schedule** means the Schedule of this Act.

*Entries in register*

- 4 Powers of Registrar-General of Land**  
The Registrar-General of Land is authorised and directed to make the entries in the register that is kept under the Land Transfer Act 1952, and do all other things necessary to give effect to this Act.

*Change of status and vesting of land (other than  
Lookout Point land)*

- 5 Existing reservation revoked**
  - (1) The reservation of the land under the Reserves Act 1977 is revoked.
  - (2) The land is freed and discharged of any trusts, reservations, and restrictions arising under the Reserves Act 1977 and to which the land or any part of it was subject immediately before the commencement of this Act, but subject to the encumbrances included in the Schedule.

2

**6 Vesting of fee simple estate**

- (1) The fee simple estate vests, in respect of the land described in—
  - (a) Part 1 of the Schedule, in the Council; and
  - (b) Part 2 of the Schedule, in the registered proprietors.
- (2) The Council has the power to dispose of the land described in Part 1 of the Schedule and is deemed always to have had the power to dispose of the fee simple estate in the land described in Part 2 of the Schedule.

*Lookout Point land*

**7 Lookout Point land declared to be endowment land**

- (1) The Lookout Point land—
    - (a) is vested in the Waitaki District Council as an endowment property for the purposes of aiding Waitaki District Council funds; and
    - (b) is an endowment property within the meaning of section 140(2) of the Local Government Act 2002.
  - (2) Subsection (1) applies—
    - (a) in order to avoid doubt; and
    - (b) despite any enactment or instrument to the contrary.
-

Schedule **Waitaki District Council Reserves and  
Other Land Empowering Act 2013** 2013 No 1

**Schedule**  
**Land vested in Council**

ss 5, 6, 7

**Part 1**

**Description of land**

*Otago Land District*  
9604 square metres, more or  
less, being Part Lot 7, DP 6425.  
All Computer Freehold Register  
OT5A/401

**Encumbrances**

Subject to: Lease 738032, with  
fencing and renewal clauses CT  
331609 and variation of lease  
7201478.2; and  
Right of way created by ease-  
ment instrument 7201478.3, to-  
gether with right of way appur-  
tenant to Part Lot 7 created by  
that instrument

**Part 2**

**Description of land**

*Otago Land District*  
809 square metres, more or less,  
being Lot 1, DP 345820. All  
Computer Freehold Register  
187727

**Encumbrances**

Subject to: Mortgage to ASB  
Bank Limited 7263041.3

**Part 3**

**Description of land**

*Otago Land District*  
2.0234 hectares, more or less,  
being sections 1 to 5, 7 to 15, and  
17 to 22 block XXXI Town of  
Oamaru. All Computer Freehold  
Register OT325/79

**Encumbrances**

245256 Order in Council con-  
senting to the closing of portions  
of Test Street fronting sections  
1 to 5 and 7 to 11 inclusive, 30  
April 1962 at 9.13 am

2013 No 1 **Waitaki District Council Reserves and  
Other Land Empowering Act 2013**

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**Legislative history**

10 May 2012	Introduction (Bill 20-1)
13 June 2012	First reading and referral to Local Government and Environment Committee
26 October 2012	Reported from Local Government and Environment Committee
14 November 2012	Second reading
5 December 2012	Committee of the whole House
20 February 2013	Third reading
26 February 2013	Royal assent

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**Appendix C - Significance and Engagement Policy Assessment**

The significance of the decision has been assessed against the criteria outlined in Council's Significance and Engagement Policy, with 5 being the maximum score for each criterion.

Criteria	Description	Threshold	Officer assessment
<b>Consistency</b>	The extent to which the proposal or decision is consistent with, or a logical consequence of, a significant decision already made or from a decision made as part of a Long-Term Plan or Annual Plan (including agreed service levels). Where the decision or proposal is fully described in a plan or significant decision, the significance for this criterion will be small or negligible. Where the proposal or decision has no precedent significant decision or is not included in a plan, or where it is not consistent with the significant decision or plan, it will be of greater significance.	A substantial proposal or decision that is materially inconsistent with a precedent significant decision or plan will trigger this threshold and be scored 1-5 depending on the degree of inconsistency.	Although not included in a current Long-Term Plan or Annual Plan, Council has previously made the decision to subdivide and sell sections for residential development at Forrester Heights and a subdivision consent was granted to this effect. A decision to proceed with a sale and / or engagement process is consistent with previous decision-making.  <b>Score: 3</b>
<b>Financial consequences</b>	The level of impact the decision will have in terms of its cost to Council. Most major decisions will be made in the context of the Community Plan or the Annual Plan. Decisions involving unidentified or unbudgeted expenditure should be scrutinised carefully. Where the decision or proposal has no net cost or long term financial implications, the significance in terms of this criterion will be small. As the net cost or expected long term financial implications increase, it will be of greater significance.	A decision or proposal will trigger this threshold when it involves: <ul style="list-style-type: none"> <li>• New expenditure of \$100k would score 1 point on the sliding scale. Each additional \$100k would add 1 to the total and increase the significance of the financial consequences (ie expenditure of \$500k or greater would score 5); or</li> <li>• Capital expenditure of 0.2% of gross asset value for that activity would score 1 point on the sliding scale. Each additional 0.2% would add 1 to the total and increase the significance of the financial consequences (eg expenditure of 0.8% would score 4); or</li> <li>• An increase in operating expenditure of 2% of annual budgeted operating expenditure would score 1 point on the sliding scale. Each additional 2% would add 1 point to the total and increase the significance of the financial consequences (eg 6% would score 3)</li> </ul>	There are financial consequences associated with not selling Forrester Heights (not recovering costs incurred to date)  <b>Score: 4</b>
<b>Community impact</b>	The extent to which the proposal or decision will impact on the current or future interests of the community, and whether it will create radically different effects from the status quo in terms of costs, benefits on members of the community and which members of the community it impacts on. Where the differences from the status quo are small, the significance in terms of this criterion will be small. If the effects of this proposal or decision on the community vary more greatly from the status quo, or where it affects a larger portion of the community, it will be of greater significance.	A decision or proposal that will have an impact on the current or future interests of the community, or create radically different effects from the status quo will trigger this threshold and be scored 1-5 depending on the scope and degree of different effects.	The impact on the community is limited to Ōamaru but is significant in terms of potential changes to neighbouring residents and is an area of importance to many members of the community.  <b>Score: 3</b>

Criteria	Description	Threshold	Officer assessment
<b>Controversy</b>	The extent to which the decision or proposal is controversial within the community. Where community views are known to be uniform, the matter generates little interest or is likely to generate little interest based on the best information available, the significance in terms of this criterion will be small. A higher level of controversy will be of greater significance.	A decision or proposal on a matter where community views generate considerable interest or the community is deeply divided will trigger this threshold and be scored 1-5 depending on the degree of interest or controversy.	The development of Forrester Heights for residential development has been controversial in the past, although the extent of opposition is not known as a engagement process specific to the site has not been undertaken to date.  <b>Score: 4</b>
<b>Reversibility</b>	The extent to which the decision or proposal is difficult to reverse or the likely impact of not being able to reverse the decision. Where the outcome can be largely reversed, albeit in a different form, the significance in terms of this criterion will be small. Where the difficulty in reversing the decision is greater, or the decision is effectively irreversible, the impact the decision will be of greater significance.	A substantial decision or proposal that is difficult to reverse or completely irreversible will trigger this threshold and will be scored 1-5 depending on the degree of difficulty in reversing the decision or the likely impact of not being able to reverse the decision.	If a decision is made to sell Forrester Heights for development, this would be irreversible.  <b>Score: 5</b>
<b>Uncertainty</b>	The extent to which lack of information or conflicting information regarding the effects of a decision or proposal on the matters in clause 4 of this policy and/or its costs, benefits, impact, controversy or reversibility make its significance unclear. Where full and clear information is available, the significance in terms of this criterion will be small. Where there is a higher level of uncertainty regarding any of the matters in the proposal, affecting many of the criteria, the decision will be of greater significance.	A substantial decision or proposal will trigger this threshold if there is a high level of uncertainty concerning any of the major matters in the proposal.	There is a small degree uncertainty around the sale price, how the land might be developed and who will develop it.  <b>Score: 2</b>
<b>Strategic asset</b>	Whether or not the proposal or decision directly relates to a strategic asset listed in Schedule 1 of this policy. Because Council considers its roading network and other strategic assets as whole single assets, this criterion will not apply to decisions or proposals that relate to parts of those strategic assets.	A substantial decision or proposal will trigger this threshold if it is in relation to a strategic assets listed in schedule two of this policy. A strategic asset it will score 5, otherwise a score of 0 will be given for this criterion.	The land is not a strategic asset (as per the policy)  <b>Score: 0</b>
			<b>Total score: 21 (significant)</b>

## Appendix D

### Summary of proposed engagement process (for Option 1)

This document provides a summary of the proposed approach to with the Oamaru community on the potential sale of land at Test Street, Oamaru (known as Forrester Heights)

#### Purpose and objectives of engagement

The overall purpose of engaging with the community of the sale of Forrester Heights would be to ensure Council considers a wide range of community views before making a decision on whether or not to proceed with selling or developing the land.

The engagement process would seek to ensure as many members of the community as possible are aware of the engagement process, have easy access to the information available, and are encouraged to make their views known to Council.

The specific objectives of the engagement would be to:

1. Inform the community about the site, the history and the land's current status
2. Inform the community about the potential advantages and disadvantages of selling the land and not selling the land (or using it for another purpose)
3. Get feedback from a wide cross-section of the community on whether or not they want the land to be sold for residential development
4. Get feedback from a wide cross-section of the community on alternative uses for the site, should a sale not proceed
5. Get feedback from a wide cross-section the community on how profits from a sale might be used, in the event of Council deciding to sell the land or deciding to develop the land at some later point should a market sale process not deliver the desired outcome

#### Overview of engagement stages and process

##### STAGE ONE - Inform

In advance of a engagement process, it is recommended that the impending process is promoted and that available information about Forrester Heights is made available to the community, including, but not limited to:

- What the engagement is about, why Council wants to hear back from the community, and how community feedback will be used
- Maps and aerial photographs of the site, its history and legal status (including any relevant documents)
- District Plan rules about allowable section and building sizes, general geotechnical matters could be addressed etc.
- The requirements and process involved with selling the land
- An outline of the advantages and disadvantages of selling the land

**STAGE TWO – Seek Feedback***Community Engagement period:*

It is proposed that a community engagement process on this matter is undertaken over a period of two months. This longer-than-usual period would allow time for people to review the relevant information, ask any questions and for a more diverse range of people to provide feedback.

*Methods:*

Community engagement can be conducted using the following methods:

- Promoting the process and making information available through various channels
- Making a survey available with specific questions (online and on paper, and including scope for comments)
- Holding public Q&A sessions - via Facebook and / or in person
- A hearing for verbal submissions

*Media channels:*

The following channels can be used to promote the process, share information and receive feedback:

- Council's Facebook and local Facebook pages
- Survey Monkey
- Print media: Otago Daily Times, Oamaru Mail, Telegraph
- Print advertising
- Static displays
- Radio Real Radio, Oamaru 91FM, Magic Talk, the Breeze
- Press releases
- Council's website

A dedicated space in a central location to mount displays/maps/illustrations and record public feedback during the period could also be created.

**STAGE THREE - Collate and review feedback**

Survey results, comments and verbal submissions (if included as part of the community engagement process) would be collated and presented to Council in a report. This would be used to inform decision-making on the future of Forrester Heights.

**STAGE FOUR - Decide the outcome and inform**

Council would consider community feedback, along with a report from officers, before making a decision on the future of Forrester Heights.

Members of the community who complete the survey and /or provide feedback through the engagement channels would be informed directly regarding the outcome and any progress (if a sale process is agreed). The wider public would be kept informed via Council's usual communication channels.

**Engagement resource requirements**

To successfully undertake an engagement process of this scale, both staff and contractor resource would be required to:

- Promote the engagement process through various channels
- Develop associated communications material and imagery - including maps and aerial images.
- Collate existing legislative and technical information on the site - including District Plan rules, geotechnical assessments to address public concerns regarding the suitability of the land for residential development, and make this available for public review
- Manage the engagement processes over the two-month period - including administration of the various channels used and ensuring questions from the community are answered in a timely way
- Collate feedback to develop into a report for Council's consideration