

TO: The Rodney Local Board

FROM: Omaha Beach Community (Inc) and the Omaha Beach Golf Club (Inc)

DATE: 17 August 2018

SUBJECT: Renewal of golf course lease and potential for development of the golf course land

Introduction

1. The Omaha Beach golf course comprises 2 areas of Open Space land separated by Broadlands Drive. The Northern section was the original 9 hole golf course established as part of the Omaha Beach North residential development in the 1970s, on land owned by the developer Broadlands Developments, and subsequently by Fletcher Homes. An additional 9 holes was designed as part of the master-planned Omaha South residential development, and constructed in around 2003.¹
2. The original 9 hole course was officially opened in 1975 with the course being maintained and run by the developer. Initially golf tournaments were organised by the Ratepayers Association, until in 1978 – 79 a meeting of residents established the Omaha Golf Club. Omaha Beach North development contributions from the developer were held by the Rodney District Council in a "Omaha community facilities fund" comprising over \$1 million, and over time in consultation with the Omaha Community Facilities Advisory Committee funds were spent on establishing the Surf club building, the Omaha Community Centre, improvements to the boat ramp and launching facilities, improvements to the tennis courts and the use of \$150,000 of the fund to acquire the land on which the golf course had been constructed.² In 1991 the District Council resolved to acquire the golf course for \$150,000 but the Council did not wish to become involved in administration of a golf course and the members of the Omaha Golf Club were persuaded to accept a lease of the course land to the club for a nominal rental.³ The purchase of the land and the assumption of responsibility for running of the golf course were finalised in late 1993. Successive leases, first of the northern 9 and subsequently of the completed 18 hole course have been at a nominal rental recognising the manner in which the course was originally developed, that the land was acquired at no cost to Council ratepayers, and that from the outset the entire cost of running the golf course including improvements

¹ In the 18 hole configuration, holes 1 – 3 and 13 – 18 are in the northern part, and holes 4 – 12 in the southern part.

² Rodney Times article 18 February 1992.

³ Omaha Golf Club committee minute dated 19 June 1991.

and upgrading would be at the cost of the Omaha Beach Golf club, supported by the Omaha community.

3. The second 9 holes were developed in conjunction with the Omaha South residential development,⁴ which was enabled by a plan change to the Rodney District Plan, and subsequently became the Special 16 (Omaha South Development) Zone. A key feature of the Master plan was the separation or buffering of the new urban development from a new DOC Scientific Reserve gifted by the developer and achieved by the establishment of the golf course between the Urban zone and the reserve. The Zone Description refers to the land being located in a sensitive coastal environment, with the zone provisions enabling comprehensive residential development to occur in a manner that is sustainable and complimentary to the coastal location. This was to be (and has been) achieved (inter alia) by requiring the provision of substantial areas of open space including the vesting of an extensive area of Kahikatea Forest/wetland in the Crown as reserve⁵, vesting of a recreation reserve in Council (for the purpose of providing an additional nine golf holes), and the vesting of areas for neighbourhood reserves and pedestrian access to ensure a high degree of public access to the foreshore.⁶ The zone provisions included extensive requirements for Financial Contributions, Works and Services including meeting the cost of a significant upgrade of the existing Jones Road treatment plant and all reticulation and service upgrades to enable wastewater from the new development to be accommodated and effluent to be treated and disposed of. Crucially, this included an innovative provision for disposal of a significant proportion of the treated effluent by sub- surface irrigation within the new section of golf course. Rule 12.8.16.10.10.1 required subdivision of the area notated "Golf Course Development Area" on the Omaha South Development Structure Plan from the remaining land within the zone and its vesting in the Council, the design and construction of 9 additional golf holes and requiring the developer to meet all the costs associated with the vesting, design and construction of the new 9 golf holes.
4. In summary, the Council acquired (in 2 stages) the land on which the golf course is located at no cost to the ratepayer. The entire golf course development (in 2 stages) was completed by the developers of the north and south subdivisions. All the maintenance, upgrading, management, and administration costs and expenses (including rates paid to the Council)⁷

⁴ Which incorporates a local neighbourhood commercial centre.

⁵ The Omaha Taniko Scientific Reserve.

⁶ 12.8.16.1.4 zone description. This and the other described methods of achieving the purpose of the zone have been carried over into the recently approved Omaha South Precinct provisions in the Operative Unitary Plan.

⁷The club employs some 13 full-time workers and part-time workers; and many club members carry out voluntary work.

have been met since 1993 by the Omaha Beach Golf Club membership, assisted by sponsorship and grants, mainly provided by the local community. The club presently spends some \$500,000 annually maintaining and improving the course.

5. The Golf course has been developed and is maintained to a championship standard and is one of 3 Auckland courses included in the "*Northland and Auckland Experience Courses*,"⁸ as part of the promotion of golf tourism in NZ by Tourism New Zealand.

Relevant Unitary Plan provisions

6. The golf course land is zoned Open Space Sport and Recreation in the recently approved and now operative Unitary Plan (AUP). The Zone description states the zone applies to open spaces used for indoor and outdoor organised sports, active recreation and community activities. Reference is made to the open spaces being also available for informal recreation activities such as walking, jogging and informal games when not used for sport and active recreation.⁹ (The Omaha community values the open space of the golf course for walking and jogging.)

7. Policy H 7.6.3 (7) states:

"Require activities and development in locations adjoining the coast or a water body to meet all of the following: (a) maintain public access, unless access is to be excluded for safety and security reasons; (b) maintain the visual amenity of the coastal environment and water bodies; (c) avoid areas scheduled for their outstanding natural landscape, outstanding or high natural character or historic heritage values; and (d) recognise Mana Whenua values." (The use of this open space land as the Omaha golf course meets this policy).

8. The Activity Table for the Open Space zones¹⁰ restricts use of the open space areas for urban development by requiring either discretionary or non-complying consent for residential activity (other than a single workers' accommodation), visitor accommodation, industrial use (other than parks depots), or commercial use such as retail, restaurant or cafe's except where accessory to a permitted activity (such as a café in a clubhouse or a pro shop).
9. The southern section of the golf course falls within the Omaha South Precinct, applied to the land south of Broadlands Drive. The Precinct Description states the purpose of the precinct provisions as enabling residential and small-scale commercial development to occur in a

⁸ NZ wide, there are 27 Experience courses and 14 Marquee (premium) golf courses that have been selected by industry experts as a way of promoting golf tourism.

⁹ H 7.6.1.

¹⁰ H 7.9.1.

sustainable manner that is complementary to the coastal location to be achieved through (inter alia):

(d) substantial areas of open space, including the kahikatea forest/wetland vested in the Crown as reserve, the recreation reserve vested in the Council (for the purpose of an additional nine golf holes), and the areas vested as neighbourhood reserves and pedestrian access. Some of the areas are located outside the precinct boundaries;¹¹

The Objectives include:

(3) The natural environment at Omaha South, particularly the coastline, Kahikatea forest/wetland and Omaha aquifer, is protected from potential adverse effects which could arise as a result of residential/commercial development.¹²

The Policies¹³ include:

(4) Require development and subdivision to be designed to: (a) protect and enhance the kahikatea forest/wetland; and (b) protect and enhance the significant coastal landscapes and landforms within Omaha South; and (c) not accelerate, worsen or generate any natural hazards; and (d) protect the quantity and quality of water in the Omaha aquifer.

(15) Manage development to not interfere with the functioning of the coastal processes of either Little Omaha Bay or the Whangateau Harbour in order to preserve the natural character of the coastal environment.

(16) Require new development or subdivision to avoid locating in areas susceptible to natural hazards

10. Almost all of the golf course land (north and south) is low-lying and susceptible to natural hazards and flooding, tidal inundation and, over the longer term, the effects of sea level rise. These issues are addressed in Section E 36 of the AUP. The Objectives¹⁴ addressing these natural hazards include:

(2) Subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long-term effects of climate change.

¹¹ 1528.1

¹² 1528.2 (3)

¹³ 1528.3

¹⁴ E 36. 2

The Policies¹⁵ include:

(1) Identify land that may be subject to natural hazards, taking into account the likely effects of climate change, including all of the following: (a) coastal hazards (including coastal erosion and coastal storm inundation, excluding tsunami); (b) flood hazards;

(6) Avoid subdivision, use and development in greenfield areas which would result in an increased risk of adverse effects from coastal hazards, taking account of a longer term rise in sea level.

11. The northern section of the course was developed on the low-lying land adjoining the Whangateau Harbour, and many of the fairways were built up using fill in order to achieve a playable course. The residential neighbourhoods to the east (across Omaha Road) discharge stormwater either through piped systems or by natural flow onto the golf course, which has as part of the course development a substantial Lake which stores and filters that stormwater. While the stored water is used when needed for golf course irrigation, especially during winter or high rainfall events the Lake provides a filter and buffer for the flows from the built-up areas into the harbour. High rainfall events result in extensive flooding across the course. High groundwater table levels have been measured over many years by the Course Manager, and for considerable periods of time the groundwater level is less than 1 m below the course ground level.

12. The Southern section of the course adjoins the DOC Omaha Taniko Reserve, described as a *"kahikatea, pukatea swamp forest growing on soils with seasonally high water tables"*. The swamp forest in this Scientific Reserve is described as one of the best remaining examples of this ecosystem type in the Auckland region, an ecosystem type which is classified as "Critically Endangered".¹⁶ As part of the planned development of Omaha South, the golf course interposes between the urban/residential development and the reserve creating a critical buffer against adverse environmental effects from the urban activity – as recognised in the Omaha South Precinct provisions.

13. Additionally, groundwater monitoring and modelling work undertaken by Watercare as part of its preparation of Applications for resource consents in order to continue with the sub-surface irrigation of treated effluent on this part of the course identified tidal induced ground water flows from the harbour through the reserve land and into the golf course, creating high groundwater levels.

¹⁵ E 36.3.

¹⁶ Auckland Council publication: Indigenous terrestrial and wetland ecosystems of Auckland (2017) Edited by Jane Connor, page 26.

14. In summary, both the northern and southern sections of the golf course are zoned to enable the continued use of the land as a golf course and for informal recreation for walkers and joggers. Relevant plan provisions including objectives and policies referred to above militate against any consideration of conversion of the golf course open space to any form of urban development and use. Much of the land is low-lying and subject to coastal and other natural hazards including flooding.

Use of the southern section for treated effluent disposal by Watercare

15. The development of Omaha South included (at the developer's cost) the establishment of a sophisticated sub-surface effluent disposal system, enabling treated effluent from the Jones Road treatment plant to be disposed of, benefiting not just Omaha Beach but other residential areas nearby¹⁷ which rely on that treatment plant. The consent originally granted to the Rodney District Council was recently the subject of a publicly notified application for renewal consents. The application was proceeded by extensive technical work including monitoring of existing flows and modelling work to verify and support the approvals sought, which enable (in suitable conditions) increased volumes of effluent to be discharged¹⁸. The new consents have been granted for a term of 35 years, expiring 2052. The continued satisfactory operation of the treatment plant is reliant on the exercise of those consents. The use of considerable parts of the golf course land for this purpose precludes a change of use, and any prospect of development and residential occupation. A copy of the consent as granted, and a plan showing the areas of the golf course where the effluent is applied accompany this briefing paper.

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¹⁷ Including Point Wells and Matakana.

¹⁸ The consent conditions enable up to 203,000 m³ of treated effluent to be discharged in any 12-month period on the golf course.