

4. PROPOSED BURNOUT PAD - CHRISTCHURCH SPEEDWAY ASSOCIATION

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Corporate Plan Output: Consents, Sub Output - Leases (9.4.8)	

The purpose of this report is to submit an application to construct a proposed burnout pad in the centre of the track area at the Christchurch Speedway Association (Inc) facility at Ruapuna Park. Clause 1.6.1 of the Association's lease requires the lessee to obtain permission from the lessor before undertaking any new improvements within its leased area.

PROPOSED PAD

An application has been received from the Christchurch Speedway Association to site a burnout pad within its leased area. The pad will be approximately 30 to 35 metres in diameter and approximately 125mm deep. The concrete will be 22.5 mpa strength with 668 reinforcing steel laid through it. Expansion cuts will reduce the chance of cracking.

The pad will be located in the centre of the grassed area inside the track, which will provide a six-metre buffer between the burnout pad and the racing track. The siting of the burnout pad in this position has several advantages, in that the embankment of the speedway will reduce the noise of vehicles using the burnout pad; the speedway has the necessary emergency services on hand, should they be required during an event; and the general public attending the burnout will be able to use the public facilities at the venue. Spectators will watch from the existing embankment and will therefore be protected by the safety barriers used at speedway events.

FINANCE AND LEGAL ISSUES

The Council has set aside \$50,000 in its community grants budget to assist with the building of a burnout pad. Should the burnout pad be built in the Christchurch Speedway's lease area, its operation will be under the Association's control. The Association believes that the burnout pad will enhance the entertainment offered to spectators, enabling demonstrations to be held as part of the normal evening programme. The Council will enter into an agreement with the Association to ensure that the Council's financial interest (grant) is protected, i.e. that burnouts can occur at the venue at regular intervals. It is important that the Association is able to hire the pad to other organisations.

Any organisation wishing to hold burnouts on the pad will have to comply with the regulations and instructions from Christchurch Speedway Association Inc and the rules of Speedway New Zealand, to ensure all health and safety requirements are complied with.

LEASE ISSUES

The Association's lease states that the lease shall not be assigned, or possession of any part given to another party, without the prior consent of the Council. The authority of the Association to hire the facilities is not implicit. As the operation of the burnout pad is intended in some cases to be a hire arrangement with a third party, the Council if it approves of the construction of the pad, should endorse the lease conditions providing for such a hire agreement.

APPRECIATION

Members of the Committee recorded their sincere appreciation to Councillor Stonhill for the role she has played in bringing this project to fruition. When completed, the burnout pad will provide a recreational facility for the city's young people, which should result in a reduction in the number of "burnouts" being held on city streets and burnout activities being undertaken in a safer, supervised environment.

Recommendation: That, subject to Speedway New Zealand formally approving the construction of a burnout pad in the centre of the Speedway track at Ruapuna, and a formal application being received from Christchurch Speedway Association Inc, the Council approve the construction of the burnout pad subject to the following conditions:

1. Christchurch Speedway Association obtaining all necessary resource and building consents before commencing construction on the site.

2. Before any tenders are let or work commences on the site, discussions being held with the Parks & Waterways Sockburn Area Advocate, to ascertain the Councils requirements through the development phase of the construction of the facility.
3. A bond of \$2,000.00 being paid by the Christchurch Speedway Association or successful principal contractor to Christchurch City Council before work commences on the site. The bond less any expenses incurred by Council will be refunded to the Christchurch Speedway Association or contractor on completion of the work.
4. The Christchurch Speedway Association obtaining a written agreement from an applicant, or organisation wishing to hire the burnout pad on terms and conditions that are fully acceptable to the Legal Services Manager. Without limiting the generality of the foregoing, such agreement would record that:
 - (a) The applicant will not breach any of the covenants of lease.
 - (b) The Christchurch Speedway Association will not be released from any of its obligations under the lease by allowing any other applicant to use the burnout pad.
5. The area being maintained in a safe and tidy condition at all times.
6. All costs associated with this development and subsequent maintenance being paid for by the Christchurch Speedway Association.
7. The Christchurch Speedway Association, and any other applicant to whom the Christchurch Speedway Association may hire the burnout pad, complying with the provisions of statues, ordinances, regulations and rules, including those of Speedway New Zealand, FIA or appropriate nationally recognised governing body(ies), and bylaws relating the use of burnout pad by lessee.
8. A workable Health and Safety Plan being put in place before use of the burnout pad commences, such healthy and safety plan to be in accordance with the provision of the Health and Safety in Employment Act 1992.
9. Any organisation other than the Christchurch Speedway Association wishing to hire the burnout pad are to have \$1M public liability insurance which is to remain current throughout the term of the use of the burnout pad.
10. An agreement being put in place between the Council and the Christchurch Speedway Association before the grant of \$50,000 is handed over, to protect the Council's grant, to ensure that the pad is able to be continually used for burnouts outside the dates on Christchurch Speedways Racing Calendar.
11. That the Council approve a hire agreement being entered into between the lessee, and any operator of the Burnout Pad (if there is one) on terms and conditions satisfactory to the Parks and Waterways Manager, and the Legal Services Manager.