

### 3. CHRISTCHURCH KART CLUB – PROPOSED TECH SHED

<b>General Manager responsible:</b>	General Manager City Environment, DDI: 941-8656
<b>Officer responsible:</b>	Transport & Greenspace Unit Manager
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#### PURPOSE OF REPORT

1. The purpose of this report is for the Board to consider an application by the Christchurch Kart Club Inc (the Club) to expand their club facilities within their lease area at Carrs Reserve, as required by their current lease agreement (elaborated on in paragraph 7 below). A site plan and building plans detailing their proposal are **attached**. The Club is proposing to construct a "Tech Shed" which will be approximately 71 square metres in size. The shed will contain a steward's room, with the balance being used for scrutinizing karts.

#### EXECUTIVE SUMMARY

2. In July 2006 the Club made an application to the Council to build a new Tech Shed on the part of Carrs Reserve which they lease from the Council.
3. Currently the Club has a temporary (A) rating for the track on Carrs Reserve from Kart Sport New Zealand. This temporary rating expires in September 2006. The Club needs to make alterations to their existing facilities before then to retain their existing rating, one of which is to build a Tech Shed, for the following purposes:
  - (a) A space for machine examination.
  - (b) Stewards meeting room.
  - (c) Weighing scales associated with parc ferme areas.
4. The Club proposes locating the new Tech Shed adjacent to the existing buildings in the pit area and are in the process of obtaining Resource and Building Consents for the new building. The Club have assured staff that the proposed new building will comply with all Resource and Building Consents requirements. The proposed new building will be classed as a temporary building because of the existing ground conditions; the area being filled.
5. Staff within the Council's Building Control Team have informed the Parks and Waterways Area Advocate that the Kart Club have been advised that because the foundations are likely to subside over time the building would have to be a limited life building of 10 years. This would mean that at the end of the 10 year period, the Club would have to apply for consent to extend the life of the building or consent to demolish it. The Club have also been advised that they will need to obtain a resource consent because of the potential effects of the previous use of the land as a landfill. At this stage the consent is suspended waiting on a reply from the Kart Club Inc.
6. The proposed building will be constructed using a Total Span standard design and it is proposed to clad the building with colour steel, the roof being "scoria" and the walls "karaka" in colour. Please see **attached** site plan and elevations.
7. The Club are financing the proposed new building from their current reserves, having a fund set aside for this specific purpose.
8. Staff recommend that the application be approved subject to the conditions contained in the officers' recommendation, because they are of the view that the building of the Tech Shed will not give the lessee any greater use of the leased land than was previously available to it, as required by section 1.6.7 of their lease agreement. The noise monitoring results from 1991 to 2001 have indicated that there has been no significant change in noise emissions from the raceway during this period. Officers are of the opinion that the building of the Tech Shed, because of what it is being used for (scrutinising) will not lead to an increase in the noise emanating from the site.

## FINANCIAL AND LEGAL CONSIDERATIONS

9. The following abstracts are taken from their current lease agreement with the Council. Section 1.6.1, 1.6.4 and 1.6.7 of the Club's Lease agreement refers to the construction of buildings, allowing for the erection of new buildings subject to the following conditions:

*"1.6.1 THE LESSEE shall not erect any new buildings or execute any new works or alter the arrangement of any areas on the leased land without the consent in writing of the Lessor first had and obtained, and no building except as herein provided shall be erected on the leased land."*

*"1.6.4 ANY new buildings, new works or alterations permitted in terms of the Lease shall be located on the leased land in such a place as approved in writing by the Lessor, and shall be of a design satisfactory to the Lessor, and such of the leased land as surrounds the new buildings, alterations or works shall be landscaped to the satisfaction of the Lessor."*

*"1.6.7 THE construction of any buildings, alterations or similar works by the lessee on the leased land shall not give the lessee any greater use of the leased land than was previously available to it."*

10. The Club has been advised that because the foundations are likely to subside over time the building will have to be a limited life building of 10 years. This will mean that at the end of the 10 year period the Club will have to apply for another building consent to enable the building to remain on the site, or consent to demolish it. The Club will also need to apply for resource consent for the building because of the site being used previously as a landfill, and therefore the possible ground stabilisation and subsidence effects on any building built upon the site. The obtaining of these consents will be one of the Council's conditions if the application is approved.
11. The Club are financing the proposed new building from their current reserves, having a fund set aside for this specific purpose.
12. The Club has indicated that the scrutinizing process does not involve the running of engines.
13. Carrs Reserve was previously a fill site, and therefore the Council's building control section has indicated that only a temporary building permit will be granted for the proposed Tech Shed. The Club is aware of this and has therefore indicated that the proposed Tech Shed will be constructed in such a way to allow relocation to another site at a later date if necessary.
14. Staff are aware that the surrounding residents wish to see the relocation of the club from Carrs Reserve to another more appropriate site. The Council is however, contracted by the lease agreement to permit the Club to use the reserve for kart racing. If the Club is to be shifted from its existing site before the lease term ends, then the Council will have compensation issues that lawfully it will need to address to affect the shift. The temporary building permit, combined with the construction methodology, which allows for the building to be shifted in the future will therefore assist with the Club's relocation to another site in the future if other issues are addressed.
15. Staff recommend that if the Council grants approval for the Tech Shed to be built, then it should be designed and constructed to be easily relocated to minimise future relocation costs of the Clubs track and facilities.
16. The local residents' main issue with the Club is noise emanating from racing activities. Staff believe that the construction of the new Tech Shed on the site will not increase the current noise level emanating from the Club's activities.
17. The Board has delegated authority from the Council to make the decision on behalf of the Council whether to grant permission to build the building within the Club's leased area or not, where the application is considered not to have an influence on the park that is considered more than local and is not of metropolitan significance. Staff consider this to be the case in this instance.
18. This decision can be made by a subcommittee of the Council in terms of the Reserves Act 1977 requirements.

## BACKGROUND ON CHRISTCHURCH KART CLUB – PROPOSED TECH SHED

19. Carrs Reserve is a recreation reserve which is located at the corner of Carrs and McTeigues Road, having the address of 92 Carrs Road. The reserve is situated on land zoned Open Space 3 in the City Plan, being 12 hectares in area and is described as a local sports park.
20. The Club's current lease agreement with the Council commenced on 1 February 1988, for a period of 33 years, with a right of renewal for a further 33 years until 31 January 2054.
21. The Club's current membership is 250 members, and membership is increasing by approximately 5% annually. The Club is the biggest of its type in the South Island, conducting race meetings at approximately monthly intervals. The Club's aim is to run at least 15 meetings at the track each year. In addition to this the track is open for practice every weekend.
22. There has been an ongoing discussion over many years regarding the possible relocation of the Kart Club to an alternative site.
23. The major issue concerning the current location of the Kart Club is noise. Although the Club's occupation of the site is based on existing use rights, the activities of the Club is relatively noisy, and is now close to a number of residences, which have been built in the area since the Kart Club became established upon the site.
24. The continued use of this land for Kart racing purposes will not be compatible with the future use of the surrounding land for noise sensitive urban purposes, notably living. Proper consideration should be given to the cumulative effects of the high ambience noise levels once the Southern Arterial Motorway has been constructed.
25. Local residents have complained that noise from the Club's activities has increased with the growth of the Club's membership and the number of events held. An assessment of environmental health matters relating to existing and prospective activities within the Awatea area was conducted in 2004 to assist with the preparation of the Awatea Variation to the City Plan. Monitoring results from 1991 to 2001 showed that there has been no significant change in noise emissions from the raceway during that period. However, wind direction is a significant factor contributing to the extent of the area affected by the noise. It was concluded that "*the raceway will continue to adversely affect rural residents and Westlake residents as long as it continues operation at this site*".
26. In a recent letter sent to the Parks and Waterways Area Advocate, the Awatea Residents Association Inc advised that they would not support the application for a permanent structure to be erected at the Carrs Road Site (refer to **attached** letter). This bodes well with the fact that the Council's Building Control team have advised that the building will need to be a limited life building of 10 years, not a permanent building.
27. At this time, this current updated proposal to relocate the Kart Club has not been brought to the Council. The issues related to the Awatea Variation are being progressed. This encompasses the possible relocation of the Kart Club. A multi-unit group within the Council is currently exploring the issues and options related to incompatible activities in the peri-urban environment. The incompatible activities being discussed by the group includes the Kart Club relocation issue.

## OPTIONS

28. There are two possible options:

- (a) Do nothing or status quo.

This action will mean that the Club will lose their track rating, and thereby lose their ability to stage top class competition races at the track. This non-action will cause the rating of the track to be downgraded, thereby having a detrimental effect on the sport of Kart racing in the South Island.

- (b) Grant the Club permission to erect the building subject to the conditions set out in the body of the report, thereby enabling them to retain their current track A grade rating.

This action will ensure that opportunities for Kart racing at the highest level are maintained in Christchurch. The proposed limited life status of the building will also help alleviate some of the local neighbours concerns.

#### **PREFERRED OPTION**

29. That the Board grants the Club permission to erect the Tech Shed subject to the conditions set out in the recommendation of this report, thereby enabling the Club to retain their current track rating.

#### **STAFF RECOMMENDATIONS**

That the Board, under delegated authority, **resolves** to grant the Christchurch Kart Club permission to build the proposed Tech Shed of approximately 71 square metres in size, in the location shown on the **attached** plans, subject to the following conditions:

- (a) The Club obtaining all necessary Resource and Building Consents before any development commences upon the site.
- (b) The construction area being maintained by the Club in a safe and tidy condition at all times.
- (c) All costs associated with the development and subsequent maintenance of the building being paid for by the Club.
- (d) The Club showing proof of having a minimum of \$1,000,000 public liability insurance to the Greenspace Policy and Leasing Administrator before commencing work upon the site. This policy is to be kept current throughout the term of the lease.
- (e) The colour scheme for the proposed building being “scoria” for the roof, and “karaka” for the walls.
- (f) Before any tenders are let or work commences upon the site, discussions are to be held with the Transport and Greenspace Manager’s designate, the Contracts Manager (Greenspace) – Sockburn Service Centre, to ascertain the Council’s requirements through the development phase of the construction of the building.
- (g) The Applicant is to pay a bond of \$2,000 to the Christchurch City Council via the Contracts Manager – Sockburn Service Centre and sign a temporary entrance licence agreement prior to commencing construction upon the site. This bond, less any expenses incurred by the Council, will be refunded to the payee upon satisfactory completion of the building and restoration of the site.
- (h) The Board requests a progress report on the Awatea Variation, including the possible relocation of the Kart Club’s track and facilities.
- (i) That the building be constructed in such a way that allows it to be easily relocated to a new site in the future.