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## **ASSESSMENT OF PROPOSED REALIGNMENT OF THE ACCESS ROAD INTO THE BOWL OF BROOKLANDS FROM PUKEKURA RACECOURSE**

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**TEAM:** Parks  
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**WARD/COMMUNITY:** District Wide  
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### **PURPOSE**

The purpose of this report is to obtain a decision from the Council on the realignment of the access road into the TSB Bowl of Brooklands (the Bowl) from the Pukekura Racecourse. The report also seeks approval of a new lease and licence to occupy in favour of the New Plymouth Pony Club for an area within the Pukekura Racecourse.

### **EXECUTIVE SUMMARY**

This report outlines and recommends approval of a proposal to realign the access road into the TSB Bowl of Brooklands (the Bowl) from the Pukekura Racecourse.

In accordance with development policy and processes outlined within the Pukekura Park Management Plan 2004, an assessment of the proposal and its potential to impact on the park has been carried out. This assessment, including consultation with affected parties, is presented in this report.

The report also outlines proposed agreements to be entered into with the New Plymouth Pony Club for part of the racecourse reserve.

### **RECOMMENDATION**

**That having considered all matters raised in the report, the Council:**

- a) Approves the construction of the realigned access road from the Pukekura Racecourse into the Bowl of Brooklands, Pukekura Park, in accordance with the design and route proposed by Option One.**
- b) Notes that this project will be funded from within the Parks renewal budget.**
- c) Approves a three year land-only lease for the footprint of the New Plymouth Pony Club building within the outer racecourse oval (being part of the land comprised in DP 19480) to the New Plymouth Pony Club, as shown on the plan attached as Appendix Three.**
- d) Approves the public notification of a three year licence to occupy for the land within the outer oval of the racecourse, as shown by the bold line on the plan attached as Appendix Seven, to the New Plymouth Pony Club for the purposes of equestrian**

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**activities noting that if no objections are received this will be granted without a further report to the Council.**

### BACKGROUND

In 2008 the Taranaki Racing Club (the racing club) presented plans to the Council to develop a new stabling complex within the racecourse amenity area they lease. The plans showed a complex with four stable wings in a circular arrangement, one of which (wing 2) would block vehicle access to the Bowl access road. The racing club initially planned to only build wings 1, 3 and 4 with current access to the Bowl continuing. However, increasing demand for the stables now means that they also want to proceed with constructing wing 2.

The racing club also has plans to seal the ring road around the stable complex, which will help mitigate dust issues. The sealing of this road requires stormwater disposal. Disposal into the park waterways has been ruled out due to the unknown affect this would have on the water quality within the park. Instead, a stormwater system that involves piping the stormwater to the middle of the racecourse has been approved (as this does not fall within the Pukekura Park catchment). This will require a pipe to run across the existing access road entrance at a similar level to the road and then be covered with 500mm of soil, thereby making the existing road access unsuitable.

Therefore, there is a need to modify the existing vehicle access into the Bowl. Unrelated factors that contribute to the need for a new access include the declining state of the existing road (it is slumping and some form of intervention is required); and a recent emergency management review. This review concluded that emergency vehicle access (ambulance and fire appliances) into the Bowl is not adequate (particularly during events) and recommends this be improved. This is a significant risk at present.

An access road from the racecourse into the Bowl is an important requirement to enable the Bowl to continue to function as a national and international events venue. As well as acting as an entrance for patrons, it is the entrance for performers and would aid the transporting of stage equipment into and out of the site.

### DISCUSSION

#### Proposed realigned access road into the Bowl of Brooklands

##### Option One

The racing club, in consultation with NPDC officers, has produced a plan for a realigned access road into the Bowl. This plan, attached as Appendix One and labelled 'Option One', shows a new road originating within the racecourse, to the north of the new stable complex, cutting down through the bush and joining up with the current access road near the bottom of the slope. Most of the new road is within the land covered by the New Plymouth Recreation and Racecourse Reserve Act 1999 and is technically outside of the purview of the Pukekura Park Management Plan.

The proposed access road presents an opportunity to remedy issues faced by the Council with the existing road, such as emergency and large vehicle access. The design of the new road incorporates a wider 6m wide carriageway and a coat chip seal capable of carrying heavy vehicles.

**Option Two**

A second plan for an alternative route has also been developed in response to a suggestion by The Friends of Pukekura Park (the Friends). This plan is attached as Appendix Two and labelled 'Option Two'. This option involves creating a new road entrance to the existing access road route by way of a cutting originating within the racecourse and sweeping down through the area where the Puff 'n Stuff building is located to join up with the existing road above the puriri tree.

In order to achieve the desired outcome of emergency vehicle and B-train access for equipment, the existing road must be totally rebuilt and widened towards the south. This reconstruction involves the removal of fill on which the road is currently sitting and replacing it with a suitable base material. **Widening involves a substantial fill batter to the south.**

When constructing the realigned access road, regardless of the final route, it is proposed that two new pipes be laid under the road as part of the construction; one being a sewer pipe for sewage disposal (currently being reviewed) and **the second pipe may be able to be used for piping artesian water into the park lakes from a bore within the racecourse (if this were to assist with improving lake water quality).**

Both options are assessed in the 'Options' section of this report.

**Pony club land lease and licence to occupy**

The pony club has been based at the Pukekura Racecourse for many years. In 2008, when the racing club began construction of the new stable complex, the pony club was displaced from an area where they held equestrian events and have since been considering alternative locations for events and training.

After extensive discussion with Council officers and the assessment of a number of alternative sites around the district, it was concluded that the best solution in the short to medium term was to relocate the pony club activities within the racecourse to an area referred to in a Deed between the Council and the racing club (concerning the use of Pukekura Raceway and pursuant to the New Plymouth Recreation and Racecourse Act 1999), as "the Playing Area".

Clause 3(1) of the Deed entitles the Council to use the whole or any part of the playing area, "being that part of the land comprised within the inner boundary of the main racing track shown as Lot 4 DP 19480 except any part having training or trotting tracks formed on it by the racing club for playing fields and to allot any playing field or part thereof to any sports club, society or organisation either generally or for particular occasions".

In order to formalise the pony club's use and occupation of an area within the playing area, it is proposed a three year land only lease be granted to the pony club for an area of land on which to relocate its existing building and a three year licence to occupy for the remainder of the area (excluding the sports fields). This will authorise its use for equestrian training and events. The area is shown within the thick outline on the plan attached as Appendix Three.

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The terms and conditions associated with these two agreements have been discussed between both parties and an agreement in principle has been reached. A notable point of the licence to occupy agreement is that the pony club will not have exclusive use of the area and the Council will have the ability to continue to take bookings for other events, in consultation with the pony club.

Both the lease and licence to occupy will be issued under the Reserves Act 1977 and therefore require Council approval. In addition, the licence to occupy is required by the Reserves Act to be publicly notified for a period of one month.

A period of three years is sufficient time for the pony club to explore future options for a long term location. As part of the lease the pony club will be obligated, if required, to relocate its building at the end of the three years.

### OPTIONS

#### **Proposed realigned access road into the Bowl of Brooklands**

##### **Assessment of proposed options**

In accordance with the Park development policies and process outlined in Pukekura Park Management 2004 (Appendix Four), an assessment of the realigned access road options has been carried out and is outlined in this report.

The assessment process involves assessing the options against a number of criteria, which form the headings below.

##### **1.0 Need**

The first criteria considered is the foreseeable need and demand for the proposed development and whether this will be sustainable.

The Bowl is a unique venue that attracts a number of large events every year. Adequate access and egress is therefore very important for this venue both in terms of access for event support vehicles and the transport in of equipment, and also the safety of event patrons in terms of emergency services access.

These aspects together with the racing club development described under 'background', give rise to the need for a realignment of the access road. Continuing with the status quo is not an option.

The Council's access through the racecourse to the Bowl together with the public parking on the racecourse has been agreed to with the Taranaki Racing Club. This is currently not explicitly provided for in the New Plymouth Recreation and Racecourse Act 1999 however, at such time as the Act is amended, this will be included, making it a sustainable long term option for access into the Bowl.

##### **2.0 Consultation**

Consultation has been undertaken with interested and affected parties, the outcomes of which are discussed under 'Views of those affected'. This consultation was based on the general

proposal to create a realigned access road into the Bowl, with the Option One route available for consideration. During this consultation the Friends expressed their opposition to the Option One route and as part of their submission proposed a new route (Option Two).

Council officers assessed the Friends' feedback and engaged TSE engineering consultants to develop plans for the alternative route (Option Two) based on the same design criteria as Option One and provide a cost estimate for this.

The effects of both options are assessed below.

### 3.0 Effect

Under this criterion, assessment is undertaken of the potential adverse effect the development will have on Pukekura Park, its environment, values, users, and neighbouring properties; and how these potential adverse effects may be avoided, remedied or mitigated.

#### 3.1 Option One

The main adverse effect that the Option One route will have on Pukekura Park is the loss of a number of native trees. The trees to be removed are shown as coloured circles on the plan attached as Appendix One, many of which are technically on racecourse land and not in the Park.

The majority of the trees to be removed are kohekohe and a kauri. As shown on the plan the trees that will not be affected include the significant puriri tree, adjacent rimu and several kauri trees (including the McGregor kauri which was planted as a memorial to Professor William Roy McGregor in 1970 by the local Forest and Bird Trust). The new road has been carefully located to avoid destabilising the large puriri (estimated to be 400 years old) while maintaining a direct route to the Bowl and removing the least number of trees possible.

Two trees, a rimu and a kauri, which commemorate the birth of twin babies will be affected by the Option One route. Records show that these trees were planted in September 2000 by a family who possibly lived out of the district but had strong connections here. Unfortunately the name of the family was not recorded and efforts to find out who the family was have been unsuccessful. Because of the young age of the trees it is possible that they will successfully relocate and an effort to transplant them to a nearby location will be made.

Concerns have been raised that the removal of a number of trees at the top of the slope will leave others in a vulnerable position by being exposed to the south-easterly wind. The arborist's report contained in Appendix Five concludes that the effect of removing trees under Option One will have an impact on the trees to be retained, however, this impact will be minimal as the wind the remaining trees will be exposed to is from an easterly direction, which is uncommon in New Plymouth.

To mitigate any wind effect it is proposed that a new fenced planting be established near the top of the new cutting, to the north of the existing road.

Earthworks during construction of this option involve significant cuts beginning in the racecourse and continuing down the slope. These cuts will change the visual look of the area. Initially they will be hydro seeded with grass and overtime will re-vegetate naturally.

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Sediment runoff during the construction phase of the new road has the potential to impact on the surrounding area and waterways within the park. To avoid this sediment, control measures including sediment fences will be installed during construction. The replanting of the batter shortly after construction ends will also mitigate any effects.

On the plan showing trees to be retained and removed (Appendix One) it is noted that an existing path from the existing access track to the Scanlan Lookout is to be realigned. The details of the realignment are yet to be worked through but it is likely that it will be moved to the top of the slope incorporating the new roads and tracks on the racecourse land.

### 3.2 Option Two

This option involves considerable excavation of unstable fill and construction of a new road with a suitable base within the drip line of the large puriri tree. A further arborist's report contained in Appendix Six states that the excavation required would damage the root structure of the puriri tree and it is unlikely that the tree would survive.

The arborist's report attached as Appendix Five concludes that Option Two will also have a moderate affect on the large puriri and surrounding trees in terms of wind effect. The removal of large kamahi to create the necessary fill batter will expose the puriri to greater wind force the prevailing west-south-west winds.

Both arborists' reports conclude that Option One is the best option when considering the long term value of the affected trees. In the opinion of the independent arborist the combined value of the trees to be removed under Option One does not exceed the value of the single puriri.

Along with the removal of the kamahi Option Two would also require the removal all undergrowth vegetation to allow for the increased width along the route and fill batter on the southern side. The fill batter extends approximately 10-15 metres to the south into the forest from the existing seal. The removal of this amount of vegetation including regenerating undergrowth would have a significant impact on the ecological values of this section of the forest and quite literally create a bear slope and hole where the canopy and regenerating undergrowth once existed.

### 4.0 Purpose

This criterion looks at the public benefit and contribution to public safety, as well as the consistency of the development proposal with objectives and policies of the Pukekura Park Management Plan.

The community of New Plymouth have benefited from having an access road into the Bowl from the racecourse for many years. This access has allows people to park at the racecourse or in the Coronation Street vicinity during large events and have a close entrance to the Bowl, relieving pressure on the Brooklands Drive entrance.

The benefit the proposed development will have on public safety is significant. The existing access does not allow access for large emergency service vehicles, especially during events. This has been highlighted by the Taranaki Regional Council Emergency Management Office and an improved, wider access route is recommended, which the proposal achieves.

The proposal is considered consistent with Circulation and Access Goals set out in the plan, which aim to provide freedom of access, safe, accessible and logical pedestrian access and convenient vehicular access, minimising the impact on the park's character and value. A full copy of the management goals for the park is attached as Appendix Seven.

### **5.0 Compatibility/Design/Location**

The proposed access route will successfully compliment the existing features of Pukekura Park as a world class event venue.

Consideration has been taken during the design and location selection phase to ensure the road is integrated into the park as far as practical. As mentioned above Option One has been designed to avoid destabilising the significant puriri tree while keeping a direct route to the Bowl and minimising the number of trees that need to be removed.

The existing vegetation that is to remain on either side of the proposed road will help soften the visual impact of the road, with future new plantings providing further softening.

Both options also involve relocating the pony club building and the Puff 'n Stuff garage within the racecourse.

Discussions have been held with the pony club and the New Plymouth Lions Club (who own the Puff 'n Stuff train, the Council owns the garage). As a result new locations for both buildings have been agreed to by all parties.

The pony club building will be relocated next to the changing shed in the outer area of the middle of the racecourse known as 'the playing area', as shown in Appendix Three. This is within a larger area to which the Pony Club has relocated its activities since stable construction began. It is proposed that a Licence to Occupy be granted to the pony club for this area as well as a lease for the land on which its building is located, each for a three year term. These agreements are outlined above in the discussion section of this report.

The Puff 'n Stuff shed will also be relocated. The Council, racing club and lions club are currently considering a number of possible sites both within Pukekura Park and the racecourse. Once a decision on a suitable site has been reached the lease will be amended to reflect the new site.

The racing club will cover all costs associated with relocating these buildings.

### **6.0 Viability**

This project involves replacing an existing asset. An estimate of the costs associated with the project is listed under budget considerations.

All works will be carried out by Council approved contractors.

### **7.0 Compliance**

A resource consent relating to the earthworks associated with the construction of the proposed access road will be obtained prior to works commencing.

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The realigned access road is likely to be developed in the months following the Council decision and will be finished in time for spring/summer events. Due to the simultaneous construction of wing 2 of the stable complex it is likely there will be a period of time when no vehicle access to the Bowl from the racecourse will be available. It is anticipated that this will not be a significant problem as no large events are scheduled during the winter months requiring vehicle access to the Bowl from Brooklands Drive. Pedestrian access to the Bowl from the racecourse will continue via the Scanlan Lookout pathway.

### **Recommended Option**

It is acknowledged that neither Option One nor Option Two are without impact on Pukekura Park. The removal of trees to allow construction of a realigned access road is unavoidable. Having considered the effects of both options, with detailed arboriculture assessment regarding the resulting environmental impacts, Option One is recommended. Option One achieves the desired outcome of creating a realigned access road into the Bowl, suitable for large vehicles including emergency services, with the least impact on the park. In particular Option One avoids damage to the significant puriri tree, which under Option Two is likely to decline with the necessary excavation around its root system and removal of kamahi trees, exposing it to prevailing winds.

### **Pony club land lease and licence to occupy**

#### **Option One - Approve a three year lease and licence to occupy in favour of the New Plymouth Pony Club for an area at Pukekura Racecourse**

It is recommended the Council confirms to approve a lease and licence to occupy for the terms of three years for the area within 'the playing area', as shown in Appendix Three.

This will enable the pony club to consider appropriate sites for long term occupation most suited to the direction and vision of their club.

#### **Option two – Decline any lease and licence to occupy for an area at the Pukekura Racecourse**

The Council has the option of declining any lease or licence to occupy sought by the pony club for an area of land at the Pukekura Racecourse. Under this option the Council could require the pony club to undertake further work to establish its strategic direction and assessment of future options, including other sites (Council or non-Council owned) and amalgamation with other equestrian groups to utilise existing facilities.

It is noted however, that a lease and licence to occupy, for an area at the racecourse with a term of three years has been agreed to by Council officers, the New Plymouth Pony Club Racecourse Subcommittee and the Taranaki Racing Club. For this reason Option Three is not recommended.

## **IMPLICATIONS ASSESSMENT**

### **Decision Making**

In terms of the Council's Significance Policy this matter is of:



Low significance       Medium significance       High significance

The proposal is of medium significance due to the important role this access road plays in the effective functioning of the Bowl as an event venue. The existence of an access road into the Bowl allows the Council continued certainty of having a venue that is able to stage major events that contribute to the vibrancy of the district.

### **Well-Being**

This matter will promote the following well-beings:

Social       Economic       Environmental       Cultural

Improvements to access into the Bowl that contribute to the safety of the public and event patrons promote social well-being. Economic well-being is also promoted through the ability to continue to attract major events to the Bowl.

### **Community Outcomes**

This matter contributes to the following community outcomes:

Connected       Skilled       Prosperous       Secure and Healthy  
 Together       Vibrant       Sustainable

The existence of access into the Bowl allows the Council continued certainty of having a venue that is able to stage major events; this contributes to the vibrancy of the district. Improvements to access into the Bowl are likely to enhance public safety, contributing to the community outcome secure and healthy.

### **LTCCP / Annual Plan**

Is this matter currently budgeted for?       Yes       No

The total cost estimate, including design, tree removal, building relocations, construction of the access road and pipe installation is:

Option One - \$235,000  
Option Two - \$280,000

The project will be subject to a Council managed tender process, during which a final cost will be established.

The racing club is covering all costs associated with the building relocations, which total \$10,500. In addition the racing club has contributed \$20,000 towards design costs.

The \$15,000 cost of the sewer installation will be covered from within existing water and waste budgets.

The remaining cost to the Council for the project (Option One - \$189,500 or Option Two \$234,500) will be funded from the park's renewal budget.

### **Consistency with Policy and Plans**

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The Pukekura Park Management Plan sets out policies and criteria that proposed developments within the park are assessed against. An assessment of the proposed realigned access road is outlined in this report. Details of the policy and criteria are attached as Appendix Two.

Other Council policies that have been considered during preparation of this report include the District Tree Policy. In accordance with polices in this document the Taranaki Forest and Bird Society has been contacted to advise them of the proposed development and that the kauri tree planted as a memorial to Professor McGregor will not be affected.

### Legal

The Pukekura Park Management Plan is a statutory document under the Reserves Act 1977.

The Pukekura Racecourse is managed under the New Plymouth Recreation and Racecourse Reserve Act 1999. The Taranaki Racing Club holds a lease for areas of the racecourse, which is part of this Act.

### Tangata Whenua Maori

Ngati Te Whiti Hapu Society has considered the proposal noting the removal of native trees, but also recognising the importance of the access road and they pose no objections to the proposal proceeding.

Ngati Te Whiti Ahi Kaa has also considered the proposal and has no objections.

### Persons Likely to be Affected

Consultation regarding the proposed realigned access road has been carried out with interested and affected parties including:

- Friends of Pukekura Park.
- Forest and Bird Society (Taranaki Branch).
- The Council's Events Team.
- Taranaki Arts Festival Trust.
- Taranaki Regional Council Emergency Management Office.
- Tangata Whenua (see details under Tangata Whenua considerations).

**The Friends of Pukekura Park** oppose the Option One access road proposal, but suggest an alternative proposal (Option Two) to alleviate the adverse affects. Their feedback submission is attached as Appendix Eight.

**The Taranaki Branch of the Forest and Bird Society** has been advised of the proposal and that it will not impact on the McGregor Kauri, planted by its members. A reply of acknowledgement and appreciation of this advice has been received.

**The Council's Events and Venues Teams and the Taranaki Arts Festival Trust (TAFT)** support the proposed realigned road. They have requested that the width of the road be as wide as possible so that it can successfully function as a dual access for vehicles and pedestrians.

**The Taranaki Emergency Management Office** also supports the proposal for the realigned access road and the access it will provide for emergency vehicles, including fire trucks. The

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office has advised of its minimum design standards for the road and Council officers have confirmed the proposed design meets or exceeds these standards.

### **Risk Analysis**

Without the construction of a realigned access road into the Bowl the Council risks the inability to stage large events due to limited remaining access available for transporting event equipment, emergency service and the movement of patrons. The option recommended by this report represents the least impact to the park while achieving the desired outcome.

### **APPENDICES**

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|----------------|--|
| Appendix One   | Plans showing <b>Option One</b> for the proposed realigned access road into the Bowl of Brooklands, including a plan showing trees to remain and those to be removed as part of this option. |
| Appendix Two   | Plans showing <b>Option Two</b> for the proposed realigned access road into the Bowl of Brooklands.  |
| Appendix Three | Site plan showing the pony club licence area and proposed location of the pony club building.  |
| Appendix Four  | Copy of the development policy and assessment process from the Pukekura Park Management Plan, extract from the Pukekura Park Management Plan   |
| Appendix Five  | Independent arborist's report assessing the likely impact of the removal of trees as part of both <b>Option One and Two</b> and the effect of wind.  |
| Appendix Six   | Second Independent arborist's report assessing the likely impact of the access road design in <b>Option Two</b> on the significant puriri tree.  |
| Appendix Seven | Management Goals for Pukekura Park, extract from the Pukekura Park Management Plan.  |
| Appendix Eight | Submission from Friends of Pukekura Park   |