

12. APPLICATION FOR FUNDING - CHRISTCHURCH ESTUARY ASSOCIATION

General Manager responsible:	General Manager Regulation and Democracy Services
Officer responsible:	Community Board Principal Adviser
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PURPOSE OF REPORT

1. An application for funding has been received from the Christchurch Estuary Association for funding towards reimbursement of legal costs incurred in the Environment Court case against I A McKenzie, 149 Main Road, Redcliffs.

EXECUTIVE SUMMARY

2. The objective of the Association is to secure, promote and protect public access to the foreshore of the Avon/Heathcote Estuary. The protection of public land along the Estuary margins to enable a public walkway to be constructed meets community expectations and Council policy. Documentation, maps and photographs providing background information have been separately circulated.

FINANCIAL AND LEGAL CONSIDERATIONS

3. The Christchurch Estuary Association are seeking \$6,000. The total cost of the fees for the case is approximately \$10,000. The Association has received a contribution from the Avon/Heathcote Estuary Ihutai Trust of \$2,000. To date they have made payments of \$1,068 to Planning Solutions. They also have an account from the Association's lawyer of \$7,928. The Board currently has \$13,907 in its 2005/06 Discretionary Fund.
4. The Board should note that the Council was a party in this case ENVC 210/04. The Council had no option but to take action due to its regulatory function.
5. A consent order was made by Judge Jeff Smith based on an agreement to construct (at the owner's expense) a 1.8 metre wide public walkway around the outside, above the Estuary.
6. In August 2005 the Board resolved to allocate a total of \$7,800 to the Charleston Neighbourhood Association enabling them to participate in the resource consent regarding the application by Leopard Coachlines Ltd.

STAFF RECOMMENDATION

That the Board decide whether or not it will allocate funding to the Christchurch Estuary Association for funding towards reimbursement of legal costs incurred in the Environment Court case against I A McKenzie, 149 Main Road, Redcliffs.

CHAIRPERSON'S RECOMMENDATION

For discussion.