

2. YALDHURST RURAL RESIDENTS ASSOCIATION – APPLICATION FOR FUNDING

General Manager responsible:	General Manager Regulation & Democracy Services, DDI 941-8659
Officer responsible:	Acting Democracy Services Manager
Author:	Lisa Goodman, Community Board Principal Adviser

PURPOSE OF REPORT

1. The purpose of this report is to submit advice on an application, received from the Yaldhurst Rural Residents Association, for funding assistance of \$2,000 from the Board.

EXECUTIVE SUMMARY

2. The Residents Association is seeking \$2,000 from the Board in order to meet a shortfall in payment of expenses for the provision of professional services (by a Lawyer and a Planner). These services assisted the Association with presenting the views of its residents in the Environment Court during an appeal by Road Metals Ltd. The Association became a 274 Party in this case of Road Metals Ltd versus the Christchurch City Council and the Canterbury Regional Council.
3. The appeal related to a quarry extension at Old West Coast Road, which both Councils declined. The decision was subsequently appealed to the Environment Court by the applicant Road Metals. As the City Council chose to focus its effort on defending the district planning aspects of the decision, the Residents Association did not confine the scope of their appeal and provided evidence in most areas, believing that there were potentially more far reaching effects upon neighbouring properties.
4. The total cost incurred by the Residents Association in receiving legal and planning services is \$34,385. The Association has received \$31,787 in assistance from the Ministry for the Environment's Legal Aid. This leaves a shortfall of \$2,588. The Association is seeking \$2,000 from the Board towards meeting this shortfall.

FINANCIAL IMPLICATIONS

5. The current balance of the Board's Environment Committee Fund is \$14,700. Therefore the Board has sufficient funds available for this funding application of \$2,000.

LEGAL CONSIDERATIONS

6. There are no legal implications to consider in relation to this request for funding assistance. As the Council defended its decision on this case, providing the Residents Association with funding assistance for its defence would not be inconsistent with the position taken by the Council on the case.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

7. Community Board project and discretionary funding is provided for under Community Grants funding identified on page 103 of the LTCCP. These funds support local projects or initiatives.

ALIGNMENT WITH STRATEGIES

8. There are no Council strategies directly relevant to this request for assistance.

CONSULTATION FULFILMENT

9. No external consultation is required on this issue. Staff have discussed the funding application with the Resident's Association.

STAFF RECOMMENDATION

It is recommended that the Community Board considers whether to allocate \$2,000 from its Environment Committee Fund 2006/07 to the Yaldhurst Rural Residents Association towards costs for professional services provided to that Association to assist with its involvement in the proceedings Road Metals Company Ltd v Canterbury Regional Council and Christchurch City Council.