

8. YALDHURST RURAL RESIDENTS' ASSOCIATION – REQUEST FOR FUNDING

At the 7 October 2009 Community Services Committee meeting the Committee was asked to consider a request for funding from the Yaldhurst Rural Residents' Association for legal expenses related to an Environment Court appeal against Blakley Construction and Road Metals Co Ltd. The Committee's recommendation to the Board is detailed below.

1. COMMUNITY SERVICES COMMITTEE – REPORT OF 7 OCTOBER 2009

DEPUTATIONS BY APPOINTMENT

1.2 Yaldhurst Rural Residents' Association – Request For Funding

Jennifer Nepton and other representatives of the Yaldhurst Rural Residents' Association were in attendance to provide information and answer questions regarding clause 7 on the Committee agenda. Ms Nepton explained the reasons for the funding application, provided details of other fundraising undertaken and asked the Committee to support the Association's request.

YALDHURST RURAL RESIDENTS' ASSOCIATION – REQUEST FOR FUNDING

The Committee's consideration was sought for a funding request from the Yaldhurst Rural Residents' Association for \$15,000 for legal expenditure related to an Environment Court appeal.

Staff Recommendation:

That the Fendalton/Waimairi Community Board decline funding to the Yaldhurst Rural Residents' Association for legal expenditure related to the Environment Court appeal.

Committee Recommendation:

That the Board not support the staff recommendation and make a grant of \$8,000 from its 2009/10 Discretionary Response Fund to the Yaldhurst Rural Residents' Association to assist it with legal fees in its appeal to the Environment Court in relation to Blackstone Quarries Limited.

At the 13 October 2009 Board meeting after a deputation by Blakley Construction and Road Metals Co Ltd the Board **decided** the following:

*“Following the deputations received and further deliberations, the Board **resolved**:*

- (a) To defer a decision on this matter until its 17 November 2009 Board meeting.*
- (b) That the parties concerned be invited to meet informally with members of the Board at the Fendalton Service Centre Boardroom to facilitate a better understanding of all relevant issues prior to a decision being made with respect to the funding request.*
- (c) That those Board members available to attend the meeting report back to the Board at its 17 November meeting regarding the outcome of the discussions.”*

The Board have received advice from staff outlining the legal position and Board powers in using discretionary monies to fund this activity, ensuring sufficient information has been provided for the Board to make a decision on this matter.