

Canterbury Regional Landfill Joint Committee

AGENDA

Notice of Meeting:

A meeting of the Canterbury Regional Landfill Joint Committee will be held on:

Date: Monday 21 August 2023
Time: 10 am
Venue: Council Chambers, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Membership

Chairperson Councillor Mark Peters - Christchurch City Council
Members Councillor Robbie Brine - Waimakariri District Council
Councillor Kelly Barber - Christchurch City Council
Councillor James Gough - Christchurch City Council
Councillor David Hislop - Hurunui District Council
Councillor Liz McMillan - Ashburton District Council
Councillor Grant Miller - Selwyn District Council

15 August 2023

Principal Advisor

Lynette Ellis
Head of Transport and Waste
Management
Tel: 941 6285

Andrew Campbell
Democratic Services Advisor
941 8340
andrew.campbell@ccc.govt.nz
www.ccc.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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Karakia Whakamutunga

Karakia Tīmatanga

1. Apologies Ngā Whakapāha

At the close of the agenda no apologies had been received.

2. Declarations of Interest Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

3. Confirmation of Previous Minutes Te Whakaāe o te hui o mua

That the minutes of the Canterbury Regional Landfill Joint Committee meeting held on [Monday, 3 April 2023](#) be confirmed (refer page 5).

Canterbury Regional Landfill Joint Committee OPEN MINUTES

Date: Monday 3 April 2023
Time: 10.02am
Venue: Council Chambers, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson Councillor Mark Peters - Christchurch City Council
Members Councillor Robbie Brine - Waimakariri District Council
Councillor Kelly Barber - Christchurch City Council
Councillor James Gough - Christchurch City Council
Councillor David Hislop - Hurunui District Council
Councillor Liz McMillan - Ashburton District Council
Councillor Grant Miller - Selwyn District Council

Principal Advisor
Mary Richardson
Acting General Manager
Infrastructure, Planning &
Regulatory Services
Tel: 941 6236

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Karakia Tīmatanga: Given by all Councillors

Whakataka Te hau ki Te uru
Whakataka Te hau ki Te tonga
Kia makinakina ki uta
Kia mataratara ki Tai
E hi ake ana te atakura
He tio, he huka, he hau hu
Tihei Mauri Ora

The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

There were no apologies received.

2. Declarations of Interest Ngā Whakapuaki Aronga

Councillors Gough and Miller declared an interest in Items 4, 5 and 7 of the agenda.

3. Confirmation of Previous Minutes Te Whakaāe o te hui o mua

Joint Committee Resolved CRLC/2023/00006

That the minutes of the Canterbury Regional Landfill Joint Committee meeting held on Friday, 17 February 2023 be confirmed.

Councillor Barber/Councillor McMillan

Carried

6. Resolution to Exclude the Public

Joint Committee Resolved CRLC/2023/00007

Part C

That Gill Cox, Ross Pickworth and Jeremy Parker of Transwaste Canterbury Limited remain after the public have been excluded for Item 7 of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Committee.

AND

That at 10.05am the resolution to exclude the public set out on pages 61 to 62 of the agenda be adopted.

Councillor Peters/Councillor Barber

Carried

The public were re-admitted to the meeting at 11.05am.

4. Transwaste Canterbury Ltd - Draft Statement of Intent 2023/24

Committee Comment

1. Linda Gibb, Performance Monitoring Advisor CCO, Group Finance, joined the meeting for the presentation of the report on Transwaste Canterbury Ltd's Draft Statement of Intent.

Joint Committee Resolved CRLC/2023/00008

Officer Recommendations accepted without change

Part C

That the Canterbury Regional Landfill Joint Committee:

1. Notes the draft Statement of Intent for Transwaste Canterbury Limited for 2023/24 and two following years;
2. Notes that the financial forecasts will be updated in Transwaste Canterbury Ltd's final Statement of Intent for 2023/24 and the two following years after completion of its business planning process; and,
3. Advises any comments it wishes to make to the Transwaste Canterbury Ltd board on the content of the draft Statement of Intent for 2023/24 and the two following years.

Councillor Brine/Councillor McMillan

Carried

5. Transwaste Canterbury Ltd - Interim report for the six months 1 July-31 December 2022

Committee Comment

1. Linda Gibb, Performance Monitoring Advisor CCO, Group Finance, joined the meeting for the presentation of Transwaste Canterbury Ltd's Interim report for the six months from 1 July to 31 December 2022.
2. The Committee requested that staff prepare advice on how the Member Councils can better access the funds available from the waste levy for local minimisation projects, especially as the levy has recently increased.

Joint Committee Resolved CRLC/2023/00009

Officer Recommendation accepted without change

Part C

That the Canterbury Regional Landfill Joint Committee:

1. Receives Transwaste Canterbury Ltd's Interim Report for the six months ended 31 December 2022.

Councillor Peters/Councillor Miller

Carried

Karakia Whakamutunga: Given by all Councillors

Kia whakairia te tapu
Kia wātea ai te ara
Kia turuki whakataha ai
Kia turuki whakataha ai
Haumi e. Hui e. Tāiki e

Meeting concluded at 11.12am.

CONFIRMED THIS 28TH DAY OF AUGUST 2023

**MARK PETERS
CHAIRPERSON**

Unconfirmed

4. Appointment of representative to attend Transwaste Canterbury Limited Annual General Meeting

Reference / Te Tohutoro: 23/1133872

Report of / Te Pou Andrew Campbell, Democratic Services Advisor
Matua: (Andrew.Campbell@ccc.govt.nz)

Senior Manager / Mary Richardson, General Manager Citizens & Community
Pouwhakarae: (Mary.Richardson@ccc.govt.nz)

1. Nature of Information Update and Report Origin

- 1.1 To appoint a representative to attend the Transwaste Canterbury Limited Annual General Meeting (AGM), held in November 2023.
- 1.2 This is a staff-generated report to enable the Committee to exercise its rights under clause 10.2 of the Shareholders Agreement.

2. Officer Recommendations Ngā Tūtohu



That the Canterbury Regional Landfill Joint Committee:

1. Appoint **[insert Councillor's name]** as the Committee representative to attend and vote at the Transwaste Canterbury Limited AGM on 23 November 2023.
2. Appoint **[insert Councillor's name]** as an alternate, if the person appointed in recommendation 1 above is unable to attend.

3. Brief Summary

- 3.1 The 2023 Transwaste Canterbury Limited (**'Transwaste'**) AGM will be held on Thursday 23 November 2023 at the Waste Management facility at 301 Marshs Road, Hornby, Christchurch. A shareholder briefing will follow which includes indicative pricing for the next year. Each shareholder group appoints a representative for the AGM, with the signed proxy form (**Attachment A**) to be received by Transwaste prior to the meeting.
- 3.2 All rights of the member Councils of the Committee are exercised through the Canterbury Regional Landfill Joint Committee, including rights to vote at shareholder meetings. Under clause 10.2 of the Shareholders Agreement, the Committee appoints its representative for the AGM by written notice to Transwaste. This is the equivalent of appointment of a proxy or corporate representative under clause 21 of Transwaste Canterbury Limited's constitution.
- 3.3 The Committee, therefore, needs to formally appoint a representative before the AGM, and it is advisable to appoint an alternate to cover for unforeseen circumstances that might arise.

Attachments Ngā Tāpirihanga

No.	Title	Reference	Page
A  	Transwaste AGM Proxy Form	23/1133877	11

In addition to the attached documents, the following background information is available:

Document Name - Location / File Link
Not applicable

Confirmation of Statutory Compliance Te Whakatūrutanga ā-Ture

<p>Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).</p> <p>(a) This report contains:</p> <ul style="list-style-type: none">(i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and(ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement. <p>(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.</p>
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Signatories Ngā Kaiwaitohu

Author	Andrew Campbell - Committee & Hearings Advisor
Approved By	Lynette Ellis - Head of Transport & Waste Management

The Secretary
Transwaste Canterbury Limited
PO Box 13 244
CHRISTCHURCH 8141

TRANSWASTE CANTERBURY LIMITED
PROXY FORM / APPOINTMENT OF REPRESENTATIVE

We, the Canterbury Regional Landfill Joint Committee, representing the Council members of the abovenamed company, hereby appoint

[INSERT COUNCILLOR NAME] of **[INSERT COUNCIL]** Council

or failing him/her,

[INSERT COUNCILLOR NAME] of **[INSERT COUNCIL]** Council

as our proxy to vote for us on our behalf at the Annual Meeting of the company to be held on the 23RD day of November 2023, and at any adjournment thereof.

.....

Approved by the Committee on the 21st day of August 2023.

5. Kate Valley Landfill Transport Costs 2022 - 2023

Reference / Te Tohutoro: 23/1142952

Report of / Te Pou
Matua:

Dr Alec McNeil, Manager Resource Recovery

Senior Manager /
Pouwhakarae:

Mary Richardson, General Manager Citizens & Community
(Mary.Richardson@ccc.govt.nz)

1. Nature of Issue and Report Origin

- 1.1 To approve the annual transport costs arrangement for waste transported to Kate Valley landfill for 2022/2023
- 1.2 Canterbury Regional Landfill Joint Committee
- 1.3 The decision in this report is low significance in relation to the Christchurch City Council's Significance and Engagement Policy.

2. Officer Recommendations Ngā Tūtohu

That the Canterbury Regional Landfill Joint Committee:

1. Approve the 2022/2023 transport cost payments to Ashburton and Selwyn District Councils as set out in the report:
 - a. To Ashburton District Council - \$200,090.51
 - b. To Selwyn District Council -\$54,368.02
2. Request Transwaste Canterbury Limited to implement the payments set out above, by adjusting its dividend payments to the participating territorial authority shareholders.

3. Reason for Report Recommendations Ngā Take mō te Whakatau

- 3.1 In 2004 the Canterbury Regional Landfill Joint Subcommittee approved a shared transport cost arrangement whereby the Christchurch City Council (CCC) and Waimakariri District Council (WDC) contribute proportionally (based on population) towards the transports costs for waste sent to Kate Valley landfill by Ashburton and Selwyn District Councils. The purpose of the arrangement is to ensure that communities further away from the landfill are not disadvantaged through higher transport costs. By agreement the Hurunui District Council, as host council to the landfill, is not part of the cost share arrangement.
- 3.2 On 2 August 2021 the Committee received a report to consider the preferred option for calculating the transport equalisation cost arrangement going forward, and resolved to implement Option 2 (Waste from Council transfer stations only), which better reflects the current market for waste operations and provides a more equitable arrangement for ratepayers going forward.
- 3.3 The table below sets out a summary of 2022/2023 financial year information based on total general waste only from Council transfer stations up to 30 June 2023.

	Total waste by District Council (tonnes)	Average cost per tonne	Cost Based on average cost/tonne	Actual cost paid by district council	Difference between actual and average costs (Equalisation)	CCC Share of Equalisation (86.97% based on tonnes)	WDC Share of Equalisation (13.03% based on tonnes)
Ashburton	14,871.36	\$ 32.12	\$ 477,668.08	\$677,758.59	\$200,090.51	\$174,018.71	\$26,071.79
Selwyn	21,885.62	\$ 32.12	\$ 702,966.11	\$757,334.13	\$54,368.02	\$47,283.87	\$7,084.15
					\$254,458.53	\$221,302.58	\$33,155.95

3.4 The agreed mechanism for payments to Ashburton and Selwyn Councils as authorised by the Committee is via a request by the Joint Committee to Transwaste Canterbury Limited to adjust the company's final dividend payments; that is, to reduce the Christchurch and Waimakariri Councils' dividend payments by the amounts indicated above and to increase the Ashburton and Selwyn Councils dividend payment accordingly.

The calculations are based on the following rules:

- *The number of return trips that would have been required by each district if all loads had been full loads.*
- *The annual transport costs for all Councils combined, based on full load trips.*
- *The average cost per tonne for all Councils combined, based on full load trips.*
- *The amounts that Ashburton and Selwyn would have paid if they had been charged at average, per tonne, all Councils combined, rates (based on full load trips).*
- *For Ashburton and Selwyn, the differences between individual annual transport costs (full loads) and average annual transport costs (full loads). This amount will be the transport cost amount to be shared between Christchurch and Waimakariri Council's.*
- *Contributions required from Christchurch and Waimakariri shall be proportioned on the basis of annual tonnages from these councils.*

Attachments Ngā Tāpirihanga

There are no attachments to this report.

In addition to the attached documents, the following background information is available:

Document Name - Location / File Link
Not applicable

Confirmation of Statutory Compliance Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002). (a) This report contains: (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement. (b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories Ngā Kaiwaitohu

Author	Ged Clink - Manager Resource Recovery
Approved By	Lynette Ellis - Head of Transport & Waste Management

6. Resolution to Exclude the Public

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7.

Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
7.	PUBLIC EXCLUDED CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE MINUTES - 3 APRIL 2023			REFER TO THE PREVIOUS PUBLIC EXCLUDED REASON IN THE AGENDAS FOR THESE MEETINGS.	
8.	VERBAL UPDATE FROM TRANSWASTE CANTERBURY LIMITED	S7(2)(H)	COMMERCIAL ACTIVITIES	THE VERBAL UPDATE PROVIDES AN OPPORTUNITY FOR DISCUSSION OF ISSUES BY THE TRANSWASTE BOARD CHAIR WHICH, IF MADE OPEN, COULD PREJUDICE THE COMMERCIAL ACTIVITIES OF THE COMPANY.	ANY RELATED INFORMATION WILL BE RELEASED WITH THE RELEVANT STAFF REPORT AS AND WHEN IT IS RELEASED.