

Canterbury Regional Landfill Joint Committee

AGENDA

Notice of Meeting:

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

Date: Monday 2 August 2021
Time: 10am
Venue: Committee Room 2, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Membership

Chairperson	Councillor Jimmy Chen - Christchurch City Council
Members	Councillor Robbie Brine - Waimakariri District Council
	Councillor Sam MacDonald - Christchurch City Council
	Councillor Liz McMillan - Ashburton District Council
	Councillor Phil Mauger - Christchurch City Council
	Councillor Grant Miller - Selwyn District Council
	Councillor Michael Ward - Hurunui District Council

26 July 2021

Petrea Downey
Committee Advisor
941 8529
petrea.downey@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.

To view copies of Agendas and Minutes, visit:

<https://www.ccc.govt.nz/the-council/meetings-agendas-and-minutes/>

TABLE OF CONTENTS

Karakia Timatanga	4
1. Apologies Ngā Whakapāha	4
2. Declarations of Interest Ngā Whakapuaki Aronga	4
3. Confirmation of Previous Minutes Te Whakaāe o te hui o mua	4

STAFF REPORTS

4. Landfill Transport Costs.....	9
5. Appointment of representative to attend Transwaste Canterbury Ltd Annual General Meeting	13
6. Resolution to Exclude the Public.....	16
Karakia Whakamutunga	

Karakia Timatanga

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, 12 April 2021](#) be confirmed (refer page 5).

Canterbury Regional Landfill Joint Committee OPEN MINUTES

Date: Monday 12 April 2021
Time: 10.02am
Venue: Committee Room 2, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson Councillor Jimmy Chen - Christchurch City Council
Members Councillor Robbie Brine - Waimakariri District Council
Councillor Sam MacDonald - Christchurch City Council
Councillor Liz McMillan - Ashburton District Council
Councillor Phil Mauger - Christchurch City Council
Councillor Grant Miller - Selwyn District Council
Councillor Michael Ward - Hurunui District Council

12 April 2021

Petrea Downey
Committee Advisor
941 8529
petrea.downey@ccc.govt.nz
www.ccc.govt.nz

To view copies of Agendas and Minutes, visit:
www.ccc.govt.nz/the-council/meetings-agendas-and-minutes/

Karakia Timatanga: Given by Councillor Chen.

The agenda was dealt with in the following order.

1. Apologies / Ngā Whakapāha

Committee Decision

There were no apologies received.

2. Declarations of Interest / Ngā Whakapuaki Aronga

There were no declarations of interest recorded.

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

Joint Committee Resolved CRLC/2021/00001

That the minutes of the Canterbury Regional Landfill Joint Committee meeting held on Monday, 10 August 2020 be confirmed.

Councillor MacDonald/Councillor Mauger

Carried

4. Transwaste Canterbury Ltd - Performance report for the half year 1 July to 31 December 2020

Joint Committee Resolved CRLC/2021/00002

Officer Recommendation adopted without change

Part C

That the Canterbury Regional Landfill Joint Committee:

1. Receives the Transwaste Canterbury Ltd's Interim Report for the six months ending 31 December 2020.

Councillor MacDonald/Councillor Chen

Carried

5. Resolution to Exclude the Public

Joint Committee Resolved CRLC/2021/00003

Part C

That Gill Cox, Chairman of Transwaste Canterbury Ltd, Garry Forward, Waste Management New Zealand South Island (WMNZ SI) JV Services Manager and Rangi Lord, Waste Management NZ - CWS division, 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 Council.

AND

That at 10.06am the resolution to exclude the public set out on pages 41 to 42 of the agenda be adopted.

Councillor McMillan/Councillor Ward

Carried

The public were re-admitted to the meeting at 11.50am.

Karakia Whakamutunga: Given by Councillor Chen.

Meeting concluded at 11.54am.

CONFIRMED THIS 2ND DAY OF AUGUST 2021

**COUNCILLOR JIMMY CHEN
CHAIRPERSON**

4. Landfill Transport Costs

Reference Te Tohutoro: 21/794152

Report of Te Pou Matua: Zed Potgieter, Senior Resource Planner

General Manager

Pouwhakarae: Jane Davis, General Manager Infrastructure, Planning & Regulatory

1. Purpose of Report Te Pūtake Pūrongo

- 1.1 To approve the annual transport cost arrangement for waste transported to Kate Valley landfill for 2020/21.

2. Officer Recommendations Ngā Tūtohu

That the Canterbury Regional Landfill Joint Committee:

1. Consider the preferred option for calculating the transport cost arrangement.
2. Request Transwaste Canterbury Limited implement the payments as agreed by the Committee, by adjusting its dividend payments to the participating territorial authority shareholders.

3. Background

- 3.1 On 6 September 2004 a shared transport cost arrangement was approved whereby the Christchurch City Council and Waimakariri District Council annually contribute proportionally towards the transport costs for waste sent to Kate Valley landfill by Ashburton and Selwyn District Councils. The arrangement ensures 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 To date the calculations for the transport cost arrangement have been done on the basis of all waste to Kate Valley landfill. When Kate Valley was first established all waste accepted was via the participating Councils' transfer stations. Over recent years there has been an increase in waste from commercial transfer stations from member council districts. This has prompted staff to propose that the Joint Committee re-consider the formula used to calculate the transport cost sharing arrangements.
- 3.3 There are three options for calculating the costs:
 - (1) All waste to Kate Valle (from Council transfer stations and others)
 - (2) Waste from Council transfer stations only
 - (3) Waste from Council transfer stations but excluding special wastes.
- 3.4 These three options and associated cost shares, updated for 2020/21, are set out below for consideration by the Committee.
- 3.5 In each of the tables the last two columns indicate the contribution of Christchurch and Waimakariri Councils.

3.6 **Option 1 for 2020/21: All waste to Kate Valley (346,519.86 tonnes)**

	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 cost (Equalisation)	CCC Share of Equalisation (93.65% based on tonnes)	WDC Share of Equalisation (6.35% based on tonnes)
Ashburton	13,333.60	\$31.36	\$418,141.70	\$608,030.34	\$189,888.64	\$177,827.92	\$12,060.72
Selwyn	20,920.73	\$31.36	\$656,074.09	\$724,161.06	\$68,086.97	\$63,762.45	\$4,324.52
					\$257,975.61	\$241,590.37	\$16,385.24

3.7 **Option 2 for 2020/21: Waste from Council Transfer Stations only (172,684.34 tonnes)**

	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 cost (Equalisation)	CCC Share of Equalisation (85.67% based on tonnes)	WDC Share of Equalisation (14.33% based on tonnes)
Ashburton	13,333.60	\$31.93	\$425,741.85	\$608,030.34	\$182,288.49	\$156,171.25	\$26,117.24
Selwyn	20,920.73	\$31.93	\$667,998.91	\$724,161.06	\$56,162.15	\$48,115.56	\$8,046.59
					\$238,450.64	\$204,286.82	\$34,163.83

3.8 **Option 3 for 2020/21: Waste from Council Transfer Stations only and excluding special waste (172,399.42 tonnes)**

	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 cost (Equalisation)	CCC Share of Equalisation (85.64% based on tonnes)	WDC Share of Equalisation (14.36% based on tonnes)
Ashburton	13,333.60	\$31.93	\$425,741.85	\$608,030.34	\$182,288.49	\$156,117.25	\$26,171.10
Selwyn	20,920.73	\$31.93	\$667,998.91	\$724,161.06	\$56,162.15	\$48,098.97	\$8,046.59
					\$238,450.64	\$204,216.35	\$34,234.29

- 3.9 The agreed mechanism for payments to Ashburton and Selwyn Councils is via a request by the Joint Committee to Transwaste Canterbury Limited to adjust the company's final dividend payments (to be declared) accordingly. 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.
- 3.10 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 Councils.
 - Contributions required from Christchurch and Waimakariri are proportioned on the basis of annual tonnages from these councils.

Attachments Ngā Tāpirihanga

There are no attachments to this report.

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

Authors	Zefanja Potgieter - Senior Resource Advisor Rowan Latham - Contract & Project Lead Ross Trotter - Manager Resource Recovery
Approved By	Ross Trotter - Manager Resource Recovery Helen Beaumont - Head of Three Waters & Waste Jane Davis - General Manager Infrastructure, Planning & Regulatory Services Dawn Baxendale - Chief Executive

5. Appointment of representative to attend Transwaste Canterbury Ltd Annual General Meeting

Reference / Te Tohutoro: 21/891605

Report of / Te Pou
Matua: Zed Potgieter, Senior Resource Advisor

General Manager /
Pouwhakarae: Jane Davis, General Manager Infrastructure, Planning and
Regulatory Services

1. Purpose of Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is to appoint a representative to attend the Transwaste Canterbury Limited Annual General Meeting (AGM), held in November 2021 in Christchurch.

2. Officer Recommendations / Ngā Tūtohu


That the Canterbury Regional Landfill Joint Committee:

1. Appoint a member of the Committee to attend and vote at the Transwaste Canterbury Ltd Annual General Meeting in November 2021.
2. Appoint a member of the Committee as an alternate, if the person appointed in recommendation 1 is unable to attend.

3. Detail / Te Whakamahuki

- 3.1 The 2021 Transwaste AGM will be held towards the end of November 2021 at a time and venue to be notified. 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 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 Annual meeting by written notice to Transwaste Canterbury Limited. 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. The proxy voting form is attached (refer **Attachment 1**).

Attachments

No.	Title	Page
A 	Transwaste AGM Proxy Form	15

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	Zefanja Potgieter - Senior Resource Advisor
Approved By	Ross Trotter - Manager Resource Recovery Helen Beaumont - Head of Three Waters & Waste Jane Davis - General Manager Infrastructure, Planning & Regulatory Services Dawn Baxendale - Chief Executive

The Secretary
Transwaste Canterbury Limited
PO Box 13 244
CHRISTCHURCH 8141

TRANSWASTE CANTERBURY LIMITED
PROXY FORM / APPOINTMENT OF REPRESENTATIVE

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

Councillor of Council

or failing him/her,

Councillor/Staff of Council

as our proxy to vote for us on our behalf at the Annual Meeting of the company to be held on the day of November 2021, and at any adjournment thereof.

.....

Approved by the Committee on the 2nd day of August 2021.

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 - 12 APRIL 2021			REFER TO THE PREVIOUS PUBLIC EXCLUDED REASON IN THE AGENDAS FOR THESE MEETINGS.	
8.	VERBAL UPDATE FROM TRANSWASTE	S7(2)(H)	COMMERCIAL ACTIVITIES	THE VERBAL UPDATE PROVIDES AN OPPORTUNITY FOR DISCUSSION OF ISSUES BY THE BOARD CHAIR WHICH, IF MADE IN OPEN, COULD PREJUDICE THE COMMERCIAL ACTIVITIES OF THE COMPANY.	ANY RELATED INFORMATION WILL BE RELEASED WITH THE RELEVANT STAFF REPORT AS AND WHEN THAT IS RELEASED