

Canterbury Regional Landfill Joint Committee

AGENDA

Notice of Meeting:

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

Date: Monday 1 August 2022
Time: 10am
Venue: Council Chambers, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Membership

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

27 July 2022

Principal Advisor

Jane Davis
General Manager Infrastructure,
Planning & Regulatory Services
Tel: 941 8884

Andrew Campbell
Committee & Hearings 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 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, 4 April 2022](#) be confirmed (refer page 5).

Canterbury Regional Landfill Joint Committee OPEN MINUTES

Date: Monday 4 April 2022
Time: 10.03 am
Venue: Held by audio/visual link

Present

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

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Karakia Tīmatanga: Councillor Chen

The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

Committee Decision

No apologies were 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/2022/00001

That the Open Minutes and Public Excluded Minutes of the Canterbury Regional Landfill Joint Committee meeting held on Monday, 2 August 2021 be confirmed.

Councillor MacDonald/Councillor McMillan

Carried

4. Transwaste Canterbury Ltd - Interim Report for the six months to 31 December 2021

Joint Committee Resolved CRLC/2022/00002

Office Recommendation adopted 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 2021.

Councillor Chen/Councillor Brine

Carried

6. Resolution to Exclude the Public

Joint Committee Resolved CRLC/2022/00003

Part C

That Gill Cox and Ross Pickworth of Transwaste Canterbury Ltd and Jeremy Parker and Evan Maehl of Waste Management Ltd remain after the public have been excluded for Item 9 of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Council.

AND

That at 10.11am the resolution to exclude the public set out on pages 42 to 43 of the agenda be adopted.

Councillor Ward/Councillor McMillan

Carried

The public were re-admitted to the meeting at 11.01am.

5. Landfill Transport Costs

Joint Committee Resolved CRLC/2022/00004

Officer recommendation accepted without change

Part C

That the Canterbury Regional Landfill Joint Committee:

1. Approve Option 2 for calculating the transport cost equalisation.
2. Advise Transwaste Canterbury Limited of the approval of Option 2 for adjusting its future dividend payments to the participating territorial authority shareholders.

Councillor Brine/Councillor Mauger

Carried

Karakia Whakamutunga: Councillor Chen

Meeting concluded at 11.11am.

CONFIRMED THIS 1st DAY OF AUGUST 2022.

**COUNCILLOR JIMMY CHEN
CHAIRPERSON**

4. Kate Valley Landfill Transport Costs 2021 -2022

Reference / Te Tohutoro: 22/905841

Report of / Te Pou

Matua:

Ross Trotter, Manager Resource Recovery

General Manager /

Pouwhakarae:

Jane Davis, General Manager Infrastructure, Planning and
Regulatory Services

1. Brief Summary

- 1.1 To approve the annual transport cost arrangement for waste transported to Kate Valley landfill for 2021/22.

2. Officer Recommendations Ngā Tūtohu

That the Canterbury Regional Landfill Joint Committee:

1. Approve the 2021/22 transport cost payments to Ashburton and Selwyn District Councils as set out in the report:
 - a. To Ashburton District Council - \$187,480.60.
 - b. To Selwyn District Council - \$56,178.98.
2. Request Transwaste Canterbury Limited to implement the payments set out above, by adjusting its dividend payments to the participating territorial authority shareholders.

3. Background

- 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 (attached) 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. The data used in the report was not yet end of year data (30 June 2022).
- 3.3 The table below sets out a summary of 2021/22 financial year information based on *total general waste only from Council transfer stations* up to 30 June 2022. As last year's data was based on the historic calculation methodology of *all wastes going to landfill* and therefore not comparable, it has not been included in the table for comparison, but as from next year the previous year's data will be comparable and will be included.



	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 DC	13,806.09	\$32.01	\$441,933.07	\$629,413.67	\$187,480.60	\$162,812.45	\$24,668.15
Selwyn DC	21,463.26	\$32.01	\$687,038.95	\$743,217.93	\$56,178.98	\$48,787.11	7,391.87

- 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 (to be declared); 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

No.	Title	Page
A  	April 2022 Report	12

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

Document Name	Location / File Link
Not applicable	Not applicable

Confirmation of Statutory Compliance / Te Whakatūtutanga 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 Ross Trotter - Manager Resource Recovery
Approved By	Ross Trotter - Manager Resource Recovery Lynette Ellis - Head of Transport & Waste Management Jane Davis - General Manager Infrastructure, Planning & Regulatory Services

Canterbury Regional Landfill Joint Committee
04 April 2022

Christchurch
City Council 

5. Landfill Transport Costs

Reference Te Tohutoro: 22/269213

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 preferred cost sharing calculation for the annual transport cost arrangement for waste transported to Kate Valley landfill.

2. Officer Recommendations Ngā Tūtohu

That the Canterbury Regional Landfill Joint Committee:

1. Approve Option 2 for calculating the transport cost equalisation.
2. Advise Transwaste Canterbury Limited of the approval of Option 2 for adjusting its future dividend payments to the participating territorial authority shareholders.

Background

- 2.1 On 6 September 2004, a shared transport cost arrangement (equalisation) 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.
- 2.2 When the Committee met on 2 August 2021 to authorise the 2020/21 transport cost arrangements, according to Option 1 (see 3.6 below for options), the Committee resolved as follows:
“Directs staff to report back to the Committee with the recommended calculation formula for the next financial year 2021/22 and going forward”.
- 2.3 There are three options available for calculating the transportation cost share, noting that while the current approach (Option 1 below) has been in place since Kate Valley became operational, the change in waste sources (shift from Council to commercial) is the key driver for the proposal to update charging formulas. Cost share options as follows:
 - Option 1 - All waste to Kate Valley;
 - Option 2 - Waste from Council transfer stations only; and,
 - Option 3 - Waste from Council transfer stations but excluding special wastes.
- 2.4 A shift to greater commercial tonnages over recent years has seen an increase in waste from commercial transfer stations, transported directly to Kate Valley with approximately half of all waste received at Kate Valley now arising from commercial sources (i.e. 170,000 tonnes in FY20) with the source of the commercial waste not known. Such commercial waste has no financial impact on any member Council, and only waste that goes via Member Council-owned

Canterbury Regional Landfill Joint Committee
04 April 2022

transfer stations should in future be considered for the transport cost scheme, as per recommended Option 2.

2.5 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; and,
- Contributions required from Christchurch and Waimakariri are proportioned on the basis of annual tonnages from these councils.

2.6 The change from Option 1 to Option 2 better reflects the current market for waste operations (large commercial volumes), and provides a more equitable arrangement for ratepayers going forward.

2.7 These three options and associated cost shares, based on costs for 2020/21, are set out below for consideration by the Committee, in each of the tables the last two columns indicate the contribution of Christchurch and Waimakariri Councils.

2.7.1 **Option 1:** 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

Canterbury Regional Landfill Joint Committee
04 April 2022

2.7.2 **Option 2:** 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

2.7.3 **Option 3:** 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

2.8 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 (as declared annually) 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.

2.9 Conclusion: The change from Option 1 to Option 2 better reflects the current market for waste operations (large commercial volumes), and provides a more equitable arrangement for ratepayers going forward.

Attachments Ngā Tāpirihanga

No.	Title	Page
A	Transport Equalisation Cost for Kate Valley Landfill FY2021	

Canterbury Regional Landfill Joint Committee
04 April 2022

Christchurch
City Council 

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
Approved By	Ross Trotter - Manager Resource Recovery Lynette Ellis - Head of Transport & Waste Management 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: 22/920114

Report of / Te Pou
Matua: Andrew Campbell, Committee & Hearings Advisor,
Andrew.Campbell@ccc.govt.nz

General Manager /
Pouwhakarae: Lynn McClelland, Assistant Chief Executive, Strategic Policy &
Performance

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 2022 in Christchurch.

2. Officer Recommendations / Ngā Tūtohu


That the Canterbury Regional Landfill Joint Committee:

1. Appoint a senior Christchurch City Council staff member to attend and vote at the Transwaste Canterbury Ltd Annual General Meeting in November 2022.
2. Appoint a senior Christchurch City Council staff 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 2022 Transwaste AGM will be held towards the end of November 2022 (details still to be confirmed by the Board), 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. As it is an election year, a Member Councillor cannot be nominated and, therefore, staff recommend nominating a senior Christchurch City Council staff member.
- 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 A**).

Attachments

No.	Title	Page
A 	Transwaste AGM Proxy Form	19

Confirmation of Statutory Compliance / Te Whakatūtutanga 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	Andrew Campbell - Committee & Hearings Advisor
Approved By	Ross Trotter - Manager Resource Recovery 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

Staff of Council

or failing him/her,

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 2022, and at any adjournment thereof.

.....

Approved by the Committee on the 1st day of August 2022.

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 - 4 APRIL 2022			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.