



Christchurch City Council

CANTERBURY WASTE JOINT COMMITTEE AGENDA

MONDAY 12 FEBRUARY 2007

AT 10.30AM

IN THE NO 3 COMMITTEE ROOM, CIVIC OFFICES

Committee: Councillor Sally Buck (Christchurch City Council)
Councillor Robbie Brine (Waimakariri District Council)
Councillor James Gibson (Waimate District Council)
Mayor Kevin Heays (Kaikoura District Council)
Mayor Garry Jackson (Hurunui District Council)
Councillor Ross Little (Environment Canterbury)
Councillor Pat Mulvey (Timaru District Council)
Councillor Lindsay Philips (Selwyn District Council)
Councillor Dave Pullen (Mackenzie District Council)
Councillor Bob Shearing (Christchurch City Council)
Councillor Bev Tasker (Ashburton District Council)
Councillor Judy Waters (Environment Canterbury)
Councillor Sue Wells (Christchurch City Council)

Committee Secretary

Kevin Roche
Telephone: 941-8941

(Morning tea available at 10.15am. Lunch available at 11.30am.)

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1. **APOLOGIES**

2. **MINUTES OF MEETING - 13 NOVEMBER 2006**

Attached.

3. **REGIONAL WASTE MINIMISATION PROJECTS UPDATE**

General Manager responsible:	General Manager City Environment, DDI 941-8656
Officer responsible:	City Water & Waste Manager, DDI 941-6287
Author:	Zefanja Potgieter, Senior Planner

PURPOSE OF REPORT

1. The purpose of this report is to provide an update on projects approved for 2006/07

UPDATE

2. At the July 2006 meeting the projects in the attached table were approved for implementation in this financial year. Comments for each project are included in the table.
3. The "Timber-to-Energy" project (5.4.1) has not been able to proceed due to Terranova being unable to do this project as anticipated and in the meantime it is not certain that the other two funding partners, being the Ministry for the Environment and Holcim, are still committed to this project. It is suggested that the funding be reallocated to the "REBRI" project (5.4.1) for this financial year, and that in the next financial year this project be reconsidered. It is possible that the REBRI project may be able to fund additional projects, though at this stage final confirmation cannot be provided.

STAFF RECOMMENDATIONS

1. That the information be received.
2. That the Committee approve that \$8,000 be reallocated from the "Timber-to-Energy" project (5.4.1) to the "REBRI" project (5.4.2).

4. MEETING DATES FOR 2007 - CANTERBURY WASTE JOINT COMMITTEE

General Manager responsible:	General Manager City Environment, DDI 941 8656
Officer responsible:	City Water and Waste Manager, DDI 941 6231
Author:	Zefanja Potgieter

PURPOSE OF REPORT

1. The purpose of this report is to present proposed meeting dates for 2007.

PROPOSED DATES

2. It is proposed that the existing format of the second Monday of every second month be continued with:
 - 2 April or 16 April (the second Monday falls on Easter Monday)
 - 11 June
 - 13 August
 - 8 October
 - 10 December
3. In the unlikely event of additional meetings being required, the following dates could be used:
 - 14 May
 - 9 July
 - 10 September

STAFF RECOMMENDATION

That the Committee adopt the above schedule of meetings.

5. CONSTITUTING AGREEMENT PROVISION RELATING TO APPOINTMENT OF ALTERNATES

General Manager responsible:	General Manager City Environment, DDI 941 8656
Officer responsible:	City Water and Waste Manager, DDI 941 6231
Author:	Judith Cheyne, Solicitor

PURPOSE OF REPORT

1. The purpose of this report is to consider a legal opinion on the appointment by member councils of alternates.

SUMMARY

2. Timaru District Council has raised an issue relating to Clause 11 of the Constituting Agreement which reads as follows:

“Each Council may appoint up to two alternates for its Committee member/s, and where that Council has a member/s on the Subcommittee, for its Subcommittee member/s. The names of alternates are to be notified in writing to the Committee and the Subcommittee as appropriate. No prior notice of attendance at a meeting by an alternate is required. An alternate shall be entitled to the same voting rights as the Committee or the Subcommittee member for whom he or she is an alternate”.

2. Subsequent to a legal opinion obtained by the Timaru District Council (TDC), the Christchurch City Council and TDC jointly requested a further legal opinion which is discussed in the attached legal opinion from Judith Cheyne, Solicitor with the Christchurch City Council.

5 Cont'd

3. The advice in the attached opinion provides three options:
 - (1) If the CWJC (Canterbury Waste Joint Committee) wants the Councils to be able to appoint members to the CWJC, who operate in a similar way to an "alternate", then significant amendments need to be made to the CWJC constituting agreement. It is suggested that the amendments are made following input from all the members and after receipt of further legal advice. An amended agreement would then need to be signed by the Councils. This option will require some effort and expense on the part of some or all CWJC member councils.
 - (2) If the CWJC/Councils do not want "alternates", the references to alternates in the agreement should be deleted, following receipt of further legal advice on the effect of the deletions. This will require that all the Councils sign an amended constituting agreement, as soon as one is prepared. There is likely to be less effort and expense with this option than compared with option 1.
 - (3) If the CWJC/Councils do not want "alternates", then action to amend the agreement could be delayed until the next review/amendment of the agreement is to occur, because the Councils cannot act on this provision of the agreement in any event and any current "alternates" cannot continue to act. CWJC members should report back to their Councils about this in the meantime. This option delays any expense of preparing an amended agreement, until such time as this would be incurred anyway.

STAFF RECOMMENDATION

It is recommended that the Committee consider the options.

6. INFORMATION SHARING

The opportunity will be taken for all members to share any items of concern or interest.