

**CANTERBURY REGIONAL
LANDFILL JOINT COMMITTEE
AGENDA**

MONDAY 13 JULY 2009

AT 9.30AM

IN THE CAMELLIA ROOM, CIVIC OFFICES

Committee: Councillor Sally Buck (Christchurch City Council) (Chairperson)
Councillor Robbie Brine (Waimakariri District Council)
Mayor Garry Jackson (Hurunui District Council)
Councillor Lindsay Philips (Selwyn District Council)
Councillor Bob Shearing (Christchurch City Council)
Councillor Bev Tasker (Ashburton District Council)
Councillor Mike Wall (Christchurch City Council)

Committee Adviser

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Principal Adviser

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Telephone 941-8271

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13. 7. 2009

1. APOLOGIES

2. MINUTES OF MEETING OF THE CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE
20 APRIL 2009

CHRISTCHURCH CITY COUNCIL

MINUTES OF A MEETING OF THE
CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE

Held in the Council Chamber, Civic Offices
on Monday 20 April 2009 at 9am

PRESENT: Councillor Sally Buck (Chairman) (Christchurch City Council)
Councillor Robbie Brine (Waimakariri District Council)
Mayor Garry Jackson (Hurunui District Council)
Councillor Lindsay Philips (Selwyn District Council)
Councillor Bob Shearing (Christchurch City Council)
Councillor Bev Tasker (Ashburton District Council)
Councillor Mike Wall (Christchurch City Council)

IN ATTENDANCE: Mark Christison (Christchurch City Council)
Zefanja Potgieter (Christchurch City Council)
Jane Parfitt (Christchurch City Council)
Simon Collin (Christchurch City Council)
Dave Hock (Selwyn District Council)
Brian Lester (Ashburton District Council)
Gary Booth (Waimakariri District Council)
Peter Langbein (Christchurch City Council)
Warren Brixton (Christchurch City Council – Minute Secretary).

APOLOGIES: Councillor Bev Tasker retired at 9.50am.

1. MINUTES OF MEETING - 11 AUGUST 2008

It was **resolved** that the minutes of the Canterbury Regional Land Fill Joint Committee held on 11 August 2008, be confirmed.

2. MATTERS ARISING

Nil.

3. TRANSWASTE CANTERBURY LIMITED – INTERIM REPORT TO 31 DECEMBER 2008

The Chairman, Gill Cox, Steven Watson (of TCL) and Martin Pinkham (CWS) were in attendance to present the interim report and clarify any matters including:

- Complaints regarding construction noise
- The costs and margins charged to Ashburton District Council.

It was **resolved** that the report be received.

13. 7. 2009

4. **TRANSWASTE CANTERBURY LIMITED – DRAFT STATEMENT OF INTENT**

The Chairperson presented a PowerPoint update and responded to questions.

An interim dividend of \$1.5 million is to be paid but expected earnings in the next two years will have some impact on dividends.

It was **resolved** that the Committee approve the Draft Transwaste Canterbury Limited Statement of Intent for the years ending June 2010-2012.

5. **TRANSWASTE CANTERBURY LIMITED – APPOINTMENT OF CHAIRPERSON**

Consideration was given to the appointment of Mr Gill Cox as Chairperson for a further period.

It was **resolved** that the Committee's Directors on Transwaste Canterbury Limited be instructed to move the appointment of Mr Gill Cox as Chairperson of the Board for the period 9 June 2009 to 8 June 2011.

The meeting concluded at 10.05am.

13. 7. 2009

3. TRANSWASTE CANTERBURY LTD 2010–2012 STATEMENT OF INTENT

INTRODUCTION

1. At its 20 April 2009 meeting, the Canterbury Regional Landfill Joint Committee received the Draft 2010-2012 Transwaste Canterbury Limited Statement of Intent for approval. The Committee resolved to approve the draft Statement of Intent.
2. The final version of the Transwaste Canterbury Limited Statement of Intent 2010-2012 with covering letter is attached for the Committee's information (**Attachment 1**).

4. APPOINTMENT OF DIRECTOR – TRANSWASTE CANTERBURY LTD

| | |
|-------------------------------------|--|
| General Manager responsible: | General Manager City Environment, DDI: 941 8608 |
| Officer responsible: | City Water and Waste Manager |
| Author: | Zefanja Potgieter, Senior Resource Planner, Asset & Network Planning |

PURPOSE OF REPORT

1. The purpose of this report is to recommend the reappointment of Mr Gerry Clemens as a director to Transwaste Canterbury Ltd (TCL) for a further period of three years.

BACKGROUND

2. Members will recall that at its meeting on 10 March 2008 the Committee resolved to extend the term of Mr Gerry Clemens to the date of the 2009 Annual General Meeting of TCL. Transwaste has advised that the AGM will be held in October 2009.
3. Mr Clemens has served as a director since his appointment on 31 March 1999. **Attachment 1** is a letter received from Mr Gill Cox, Chairperson of the Transwaste Board of Directors, in support of Mr Clemens being appointed for a further three years, being up to the 2012 AGM. Mr Clemens has been a particularly valuable member of the Transwaste Board and there are no reasons to replace Mr Clemens at this stage with a planned review of contracts to be addressed and implemented. In addition, Mr Clemens has specific knowledge of the land resource requirements of the company which need addressing in the next two years. The request for Mr Clemens' reappointment is also supported by the directors representing Transpacific Industries Ltd.
4. On 10 March 2008 the Committee adopted a revised policy on appointment and reimbursement of directors to TCL (**Attachment 2**). It requires inter alia that the Transwaste Chairperson be consulted, which has been done (see attached letter from Mr Cox). It also provides for the reappointment of a director for an additional period of three years following nine years of service in exceptional circumstances, therefore a tenure of a total of 12 years. Both Mr Cox and Mr Clemens were appointed on 31 March 1999 and Mr Cox's already approved current term expires on 8 June 2011, which takes it up to 12 years. Should the Committee support the appointment of Mr Clemens up to the 2012 AGM of Transwaste, which is supported by staff, it implies an agreed departure from the 12 year policy provision to a 13 year period, which the Committee is able to resolve at a formally convened meeting. It is recommended by staff that the Committee, as a matter of priority at a subsequent meeting, consider the issue of expiry of terms of appointment of experienced external directors.

STAFF RECOMMENDATION

It is recommended that Mr Gerry Clemens be re-appointed as director to the Transwaste Board of Directors up to the Company's Annual General Meeting in October 2012.

5. TRANSPORT COSTS FOR WASTE TO KATE VALLEY 2008/09

| | |
|-------------------------------------|---|
| General Manager responsible: | General Manager City Environment, DDI: 941 8608 |
| Officer responsible: | City Water and Waste Manager |
| Author: | Zefanja Potgieter, Asset & Network Planning |

PURPOSE OF REPORT

1. The purpose of this report is to approve the annual report for the shared transport cost arrangement for waste transported to Kate Valley landfill.

BACKGROUND

2. On 4 September 2004 the Canterbury Waste Subcommittee passed a resolution to implement a shared transport cost arrangement whereby Christchurch City Council, Banks Peninsula District Council (now part of Christchurch City) and Waimakariri District Council proportionally contribute towards the transports costs for residual waste sent to Kate Valley landfill by Ashburton and Selwyn District Councils, in terms of an agreed method of calculation. By agreement the Hurunui District Council, as host council to the landfill, is not part of this cost share arrangement. The purpose of the arrangement is to ensure that communities further away from the landfill are not disadvantaged through transport costs.
3. The table below sets out a summary of 2008/09 financial year information based on all waste tonnages going to Kate Valley from Ashburton and Selwyn districts:

| | Total waste in tonnes \$ | Average cost / tonne for four Councils \$ | Cost based on average cost \$ | Actual cost paid by district Council \$ | Difference funded by CCC and WDC \$ | CCC Share based on tonnages \$ | WDC Share based on tonnages \$ |
|------------------|-----------------------------|--|----------------------------------|--|--|-----------------------------------|-----------------------------------|
| Ashburton | 8,837.14 | 26.91 | 237,807.44 | 490,155.26 | 252,347.82 | 233,618.07 | 18,729.75 |
| Selwyn | 10,449.86 | 26.91 | 281,205.73 | 296,067.69 | 14,861.96 | 13,758.88 | 1,103.08 |

4. The agreed mechanism for payments to Ashburton and Selwyn Councils is through a request by the Committee to Transwaste Canterbury Ltd to adjust the Company's final dividend payments (to be declared) accordingly – i.e. 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.

STAFF RECOMMENDATION

It is recommended that the Canterbury Landfill Joint Committee:

- (a) Approve the proposed transport cost payments to Ashburton and Selwyn District Councils as set out in the report.
- (b) Request Transwaste Canterbury Ltd to implement the payments set out above by adjusting its dividend payments to the participating territorial authority shareholders.