

8. ESTABLISHMENT OF CANTERBURY JOINT STANDING COMMITTEE AND THE CANTERBURY WASTE SUBCOMMITTEE

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PROPOSAL/PURPOSE OF REPORT

The purpose of this report is to request that the Council reappoint and reconstitute the Canterbury Joint Standing Committee (CJSC), and its working arm the Canterbury Waste Subcommittee (CWSC) with the same delegated functions, powers, duties and voting rights that existed immediately prior to its discharge following the 2004 local authority elections.

EXECUTIVE SUMMARY

The Canterbury Joint Standing Committee and its Subcommittee were constituted to manage the establishment of Kate Valley landfill and regional waste minimisation. Because two councils (out of 10) failed to pass the appropriate resolutions prior to the elections we need to reconstitute these committees and take steps to ensure that this situation does not arise again. We are required to appoint three councillors all of whom will sit on both committees, and one of whom will be appointed by the Canterbury Joint Standing Committee to chair both committees. Note: The Subcommittee appointed Denis O'Rourke as a director to Transwaste Canterbury Ltd till 17 September 2006.

FINANCIAL AND LEGAL CONSIDERATIONS

The Council has a \$6 million dollar investment in Kate Valley landfill. The Council contributes an annual \$50,000 towards regional waste minimisation initiatives.

RECOMMENDATION

1. That, pursuant to clause 30 of Schedule 7 to the Local Government Act 2002 ("the Act") and clause 11 of the Constituting Agreement dated 16 September 2003 ("the Constituting Agreement"), the Council reappoint and reconstitute the Canterbury Joint Standing Committee ("the Committee") with the same delegated functions, powers, duties and voting rights that existed immediately prior to its discharge following the 2004 local authority elections.
2. That, as provided for by clause 30(7) of Schedule 7 to the Act, the Committee and the Canterbury Waste Subcommittee (to be appointed by the Committee) not be deemed to be discharged on the coming into office of the members of the Council elected or appointed at any subsequent triennial general election of members.
3. That it be noted that the Committee will continue to operate under the Constituting Agreement pending the execution of a revised document reflecting the legislative changes made by the Act.
4. That the Council appoint three members to the Committee, and consider appointing up to two alternates.

BACKGROUND

The Canterbury Joint Standing Committee is the 'parent' committee which at its first meeting appoints its working arm, the Canterbury Waste Subcommittee which comprises the same members. The Council's interest in Kate Valley landfill is managed through the Canterbury Waste Subcommittee. Participation in regional waste minimisation activities and in regional hazardous waste reduction initiatives is led by this Subcommittee.

In order for the CJSC and the CWSC not to be discharged at the time of the elections all ten CJSC member councils had to have passed the appropriate resolutions before the September elections, and this was done by Christchurch and seven other member councils. Unfortunately such resolutions were not passed in time by two member councils. Therefore, the CJSC and the CWSC have effectively been discharged.

The recommendations below are intended to reconstitute the committee and subcommittee, and to ensure that this situation does not occur at future elections. The CJSC and CWSC will continue to operate in terms of the current Constituting Agreement which will be revised during 2005 to incorporate changes brought about by the Local Government Act 2002.

As Christchurch City has three elected members serving on the CJSC and CWSC it is necessary to appoint the three City Council representatives. One of Christchurch's representatives will be appointed by the Canterbury Joint Standing Committee as chairperson of both committees in terms of the provisions of the Constituting Agreement which also makes provision for member councils to appoint up to two alternates, one of whom may be an employee of the Council.

Furthermore a Christchurch committee member also serves as a one of the directors to the board of Transwaste Canterbury Ltd which manages the Kate Valley landfill project. CWSC can also resolve to appoint alternate directors to this board.

On 27 May 2004 Council considered a report "*Transwaste Canterbury Ltd – Appointment of Directors and Monitoring*". The Council resolved:

"3. *That the Council appointee to the Canterbury Waste Subcommittee be selected in accordance with the Council's policy on the appointment of directors.*" A copy of the policy is attached.

On 23 September 2004 it was reported to the Council that the Canterbury Waste Subcommittee on 6 September had resolved to appoint Cr. Denis O'Rourke as a director to Transwaste Canterbury Ltd till 17 September 2006. This appointment effectively would represent Christchurch up to that date.

THE OBJECTIVES

To continue the operation of the Canterbury Joint Standing Committee and the Canterbury Waste Subcommittee.

THE OPTIONS

The two options are to either not adopt the recommendations and not be part of the CJSC and CWSC, or to adopt the recommendations and be part of it. If Christchurch were not to be involved, a new mechanism for managing Council's interests in Kate Valley would be required, and the cooperative momentum for regional waste minimisation initiatives would be lost. As the largest territorial authority in Canterbury it is considered essential to remain part of this Committee.

THE PREFERRED OPTION

To adopt the recommendations and remain a part of the CJSC and CWSC.