

9. TRANSPORT COSTS FOR WASTE TO KATE VALLEY

The Subcommittee considered a report from Zefanja Potgieter, Resource Planner Solid Waste, Christchurch City Council, recommending a mechanism for payment of a portion of the transport costs of waste transported from Ashburton and Selwyn District Councils to the Kate Valley Landfill in terms of the transport cost equalisation scheme.

The report gave background to the philosophy behind a transport equalisation scheme and noted the provision made for this within the constituting agreement for the Subcommittee and the previous resolution of the Subcommittee at its 9 August 2004 meeting.

Information relating to dividend payments and a possible deed of agreement drafted by Buddle Findlay solicitors together with the detail of the resolutions to be passed by each of the participant councils.

The Subcommittee **resolved** that each of the Christchurch City Council, Ashburton District Council, Selwyn District Council, Banks Peninsula District Council, and Waimakariri District Council pass the following resolutions at their September 2004 meetings:

1. That the Council participate in the Transport Cost Equalisation Scheme more particularly described in the attached Deed ("the Equalisation Deed") to the intent that the costs associated with the transport of solid waste to the Kate Valley Landfill be equalised across the districts administered by the Ashburton District Council, the Banks Peninsula District Council, the Christchurch City Council, the Selwyn District Council and the Waimakariri District Council and, accordingly:
 - (a) The Council enter into and execute the Equalisation Deed; and
 - (b) Make the delegations to the Canterbury Joint Standing Committee set out in recommendation 2.
2. That the Council delegate to the Canterbury Joint Standing Committee and its subcommittee pursuant to clause 3 of the Constituting Agreement dated 16 September 2003, authority to:
 - (a) Direct Transwaste Canterbury Ltd in the calculation of the Council's liability for equalisation payments in accordance with the equalisation formula set out in the Equalisation Deed;
 - (b) Monitor:
 - (i) the payment of any dividend payable by Transwaste Canterbury Limited;
 - (ii) the holding of such dividend by Transwaste Canterbury Limited;
 - (iii) the payment of the balance of any such dividend once any equalisation payment has been deducted; and
 - (iv) the payment of equalisation payments to refuse station operators under the terms of the Equalisation Deed.

In addition members discussed the implications of the Commerce Act in respect to the objectives of the Subcommittee, operation of the regional landfill and waste minimisation and it was agreed that research on this could be undertaken in the 2005/06 financial year as a project with a view to promoting any required legislative changes.