

CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE AGENDA

FRIDAY 12 AUGUST 2011

AT 10.30AM

AT THE CANTERBURY CLUB, WORCESTER STREET, CHRISTCHURCH

Committee: Councillor Sally Buck (Christchurch City Council) (Chairman)
Councillor Glenn Livingstone (Christchurch City Council)
Councillor Aaron Keown (Christchurch City Council)
Councillor Darryl Nelson (Ashburton District Council)
Councillor Richard Davison (Hurunui District Council)
Councillor Lindsay Philips (Selwyn District Council)
Councillor Robbie Brine (Waimakariri District Council)

General Manager

Jane Parfitt
Telephone: 941-7305

Principal Adviser

Mark Christison
Telephone: 941-5734

Committee Adviser

Janet Anderson
Telephone: 941-8179

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12. 8. 2011

1. **APOLOGIES**

2. **CONFIRMATION OF MINUTES - MEETINGS OF 29 APRIL 2011 AND 24 JUNE 2011 (SPECIAL MEETING)**

Attached.

CHRISTCHURCH CITY COUNCIL
MINUTES OF A MEETING OF THE
CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE

**Held in the Boardroom, Canterbury Waste Services, 28 Abros Place, Bishopdale
on Friday 29 April 2011 at 10am.**

PRESENT: Councillor Sally Buck (Chairperson)(Christchurch City Council)
Councillor Dick Davison (Hurunui District Council)
Councillor Aaron Keown (Christchurch City Council)
Councillor Glenn Livingstone (Christchurch City Council)
Councillor Darryl Nelson (Ashburton District Council)
Councillor Lindsay Philips (Selwyn District Council)

IN ATTENDANCE: Martin Pinkham (Canterbury Waste Services)
Steven Watson (for Transwaste Canterbury Ltd)
Jane Parfitt (Christchurch City Council)
Zefanja Potgieter (Christchurch City Council)
Brian Lester (Ashburton District Council)
Cheryl Coombs (Ashburton District Council)
Chris Hopman (Selwyn District Council)
Sally Cracknell (Hurunui District Council)
Janet Anderson (Christchurch City Council – Minutes Secretary)

APOLOGIES: Councillor Robbie Brine and Gill Cox

1. MINUTES OF PREVIOUS MEETING: 14 FEBRUARY 2011

It was **resolved** on the motion of Councillor Dick Davison, seconded by Councillor Glenn Livingstone, that the minutes of the Canterbury Regional Landfill Joint Committee held on 14 February 2011, as circulated, be confirmed as a true and correct record of the meeting.

2. PROGRESS REPORT FROM CANTERBURY WASTE SERVICES LTD

Martin Pinkham, General Manager Canterbury Waste Services gave a PowerPoint presentation updating the Committee on issues arising from the two earthquakes, the basis of future price increases and costs, and measures to mitigate these. Best estimates will be available to Councils at the Transwaste Canterbury Ltd AGM in November.

3. TRANSWASTE CANTERBURY LTD – DRAFT STATEMENT OF INTENT FOR THE YEAR ENDING 30 JUNE 2012

Peter Langbein spoke to his report advising that the main issue was volatility in volumes. Minor changes in language from the previous SOI were to reflect changes in international standards. Steven Watson answered members' questions regarding debt ratio, interest payable and hedging against inflation.

It was resolved on the motion of Councillor Lindsay Philips, seconded by councillor Glenn Livingstone, that the Transwaste Canterbury Ltd Draft Statement of Intent for the year ending 30 June 2012 be approved.

4. TRANSWASTE CANTERBURY LTD – INTERIM REPORT TO 31 DECEMBER 2010

The Interim Report to 31 December 2010 from Transwaste Canterbury Ltd was received.

14. 2. 2011

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5. **GENERAL BUSINESS**

RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Sally Buck, seconded by Councillor Darryl Nelson that the public be excluded from the meeting to enable the Minutes of a Meeting of the Canterbury Regional Landfill Joint Committee held on 14 February 2011 to be considered Section 7(2)(a) of the Local Government Official Information and Meetings Act 1987, Protection of Privacy of Natural Persons and to receive and consider a letter from the Ashburton District Council concerning monitoring and review of Canterbury Waste Services Ltd, Section 7(2) (f) (i) of the Local Government Official Information and Meetings Act 1987, Maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees in the course of their duty.

It was **resolved** on the motion of Councillor Darryl Nelson, seconded by Councillor Glenn Livingstone that the public be readmitted at 11.05am.

The meeting concluded at 11.05am.

CHRISTCHURCH CITY COUNCIL

**MINUTES OF A SPECIAL MEETING OF THE
CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE**

**Held in the Boardroom, Canterbury Waste Services, 28 Abros Place, Bishopdale
on Friday 24 June 2011 at 1.30pm.**

- PRESENT:** Councillor Sally Buck (Chairperson)(Christchurch City Council)
Councillor Robbie Brine (Waimakariri District Council)
Councillor Aaron Keown (Christchurch City Council)
Councillor Glenn Livingstone (Christchurch City Council)
Councillor Darryl Nelson (Ashburton District Council)
Councillor Lindsay Philps (Selwyn District Council)
- IN ATTENDANCE:** Jane Parfitt (Christchurch City Council)
Ian Thomson (Christchurch City Council)
Gill Cox (Transwaste Canterbury Ltd)
Brent McKenzie (Transpacific Industries Ltd)
Steven Watson (for Transwaste Canterbury Ltd)
Zefanja Potgieter (Christchurch City Council)
Brian Lester (Ashburton District Council)
Gavin Sole (Selwyn District Council)
Kitty Waghorn (Waimakariri District Council)
Janet Anderson (Christchurch City Council – Minutes Secretary)
- APOLOGIES:** Councillor Dick Davison for absence and Councillor Aaron Keown for lateness

1. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Robbie Brine, seconded by Councillor Lindsay Philps that the public be excluded from the meeting to enable receipt and consideration of information relating to Transwaste Canterbury Limited, Change of Shareholder, Section 7(2)(b)(ii) of the Local Government Official Information and Meetings Act 1987, Prejudice Commercial Position. It was **further resolved** in accordance with Standing Order 2.16.4 that Brent McKenzie, Gill Cox and Steven Watson be permitted to remain during the following proceedings of this meeting in their capacity of Chief Financial Officer, Transpacific Industries, Chairman Transwaste Ltd and Director Transwaste Ltd respectively to provide expert advice to the Committee.

It was **resolved** on the motion of Councillor Sally Buck, seconded by Councillor Lindsay Philps, that the public be readmitted at 2.15pm.

The meeting concluded at 2.15pm.

12. 8. 2011

3. CORRESPONDENCE

12. 8. 2011

4. APPOINTMENT OF A DIRECTOR REPRESENTING HURUNUI, WAIMAKARIRI, SELWYN AND ASHBURTON DISTRICT COUNCILS

General Manager responsible:	General Manager, City Environment, DDI 941-7305
Officer responsible:	Unit Manager City Water and Waste
Author:	Zefanja Potgieter, Senior Resource Planner

PURPOSE OF REPORT

1. To call for nominations for a councillor director to represent Ashburton, Hurunui, Selwyn and Waimakariri District Councils on the Board of Transwaste Canterbury Ltd (TCL).

BACKGROUND

2. The current term of the Councillor Director representing Ashburton, Hurunui, Selwyn and Waimakariri District Councils on the Board of Transwaste Canterbury Ltd expires on 10 August 2011. Councillor Robbie Brine of Waimakariri District Council was appointed on 17 March 2005, is the current councillor director for the four councils and is entitled to seek reappointment.

The Transwaste Board of eight directors is made up of four directors representing the territorial authority members (Ashburton, Christchurch, Hurunui, Selwyn and Waimakariri) and four directors representing Transpacific Industries Ltd. The four territorial authority directors are made up of two Canterbury Regional Landfill Joint Committee elected members, one from the Christchurch City Council representatives and one from the four other rural council representatives. In addition the Committee appoints two directors external to any of the member councils, to provide commercial input. These two directors are Gill Cox, Chairman of the Board, and Gerry Clemens.

The appointment of directors to the Board of TCL by the committee is provided for in the Constituting Agreement for the committee and the TCL Shareholders Agreement. The committee has authority to appoint directors in accordance with the attached policy, adopted by the committee on 10 March 2008.

There are no financial considerations as directors' fees are paid by TCL, not by the shareholder councils.

In terms of clause 14 (a) and (b) of the Constituting Agreement, members vote on the basis that the members appointed to represent Christchurch City Council are entitled to 50 per cent of the votes able to be cast (which votes must be cast as a block and cannot be split), and the members appointed to represent the other four councils are entitled to one vote each.

Note: In accordance with the exemption in clause 6(3) of the Local Authority (Members' Interests) Act 1968, this is not a topic on which members are required to declare a pecuniary interest and retire from discussion and voting.

At the 12 August 2011 meeting nominations will be called for a Director Councillor representing Ashburton, Hurunui, Selwyn and Waimakariri Councils on the Transwaste Board. If there is more than one nomination then a selection process will be started, as set out in the Committee's policy on appointment of directors (copy **attached**). The selection process will be carried out through an external agency (Sheffield) and will take up to two months. In such case it would be prudent for the Committee to reappoint Councillor Brine for the interim bridging period until the Committee can reconvene to consider a report from the agency at the next scheduled meeting of the committee on 28 October 2011.

STAFF RECOMMENDATIONS

1. That the Canterbury Landfill Joint Committee call for nominations for a Councillor Director on the Board of Transwaste Canterbury to represent Hurunui, Selwyn and Waimakariri District Councils.
2. If a selection of candidates be required, that Sheffield be contracted.

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4 Cont'd

3. If a selection of candidates be required, that Councillor Robbie Brine be re-appointed up to 31 October 2011.
4. That the costs of contracting Sheffield (no more than \$3,000 GST inclusive) be apportioned between all five member councils, based on the population figures in Clause 27 of the Constituting Agreement.

DIRECTORS - POLICY ON APPOINTMENT AND REMUNERATION - TRANSWASTE CANTERBURY LTD

1. Purpose

The purpose of this policy is to set out, in accordance with Section 57(1) of the Local Government Act 2002 (“the Act”), an objective and transparent process for:

- The identification and consideration of the skills, knowledge and experience required of directors of a council organisation; and
- The appointment of directors to a council organisation; and
- The remuneration of directors of a council organisation.

2. Principles

The following principles underlie this policy:

- Appointments will be made on the basis of merit;
- The Committee will follow corporate governance best practice;
- Directors will be appointed on the basis of the contribution they can make to the company, and not on the basis of representation;
- All directors should comply with the Christchurch City Council’s Code of Conduct for Directors (attached).

3. Definitions

The term “council organisation” (“CO”) is used in the context of the definitions provided in Section 6 of the Act.

The Act also creates two sub-categories of COs – “council-controlled organisations” (“CCOs”) and “council-controlled trading organisations” (“CCTOs”).

The following definitions are provided for guidance purposes only. Fuller definitions are provided in Section 6 of the Act.

Meaning of “council organisation”

In broad terms, a CO is an organisation in which the Council has a voting interest or the right to appoint a director, trustee or manager (however described). This is a wide-ranging definition, covering a large number of bodies.

Meaning of council-controlled organisation

A CCO is an organisation in which one or more local authorities control, directly or indirectly, 50% or more of the votes or have the right, directly or indirectly, to appoint 50% or more of the directors, trustees or managers (however described).

Meaning of council-controlled trading organisation

A CCTO is a CCO that operates a trading undertaking for the purpose of making a profit eg Transwaste Canterbury Ltd.

The Canterbury Regional Landfill Joint Committee, and Transwaste Canterbury Ltd are referred to as the CRLJC and TCL in the policy.

4. Transwaste Canterbury Limited

Background

The Christchurch City Council (CCC) has a 39.9% interest in Transwaste Canterbury Limited (‘TCL’). A further 10.1% is held by the other four Canterbury local authorities, and 50% by Canterbury Waste Services Ltd.

The CRLJC has been constituted to represent the ownership interests of the local authorities

The CRLJC is a joint committee for the purposes of the Local Government Act, involving interests external to the member Councils. Whilst their appointment policies cannot be applied directly to the CRLJC, the Councils have an interest in ensuring that appropriate appointments are made to the TCL Board.

The CRLJC, has the power to appoint four directors to TCL. It has previously adopted a policy of appointing two Councillor directors (one from the Christchurch City Council and one from one of the rural Councils) and two external directors. All directors are nominee directors.

5. Appointment of Directors

Representation

The four directors appointed by the CRLJC to the TCL Board will comprise two internal appointees, one appointed to represent the Christchurch City Council and one to represent the other four remaining shareholder Council representatives on the CRLJC. All appointees will be appointed by the whole joint committee with the emphasis being on the commercial skills they will bring to representing the interest of the shareholder councils on the TCL Board.

Attributes

In general terms, the following qualities are sought in the directors appointed by the CRLJC:

- a) Intellectual ability
- b) Commercial experience
- c) Understanding of governance issues
- d) Sound judgement
- e) High standard of personal integrity
- f) Commitment to the principles of good corporate citizenship
- g) Understanding of the wider interests of the publicly-accountable shareholder

It is expected that all appointees will undergo, or already have undergone, formal corporate governance training, or have the requisite experience in this area.

Appointment Process for TCL Directors

When a vacancy arises for any of the four appointees on the TCL Board CRLJC will follow the process set out below.

External Appointees

Search

.In most cases a specialist consultant, or the Governance Committee of Christchurch City Holdings Ltd will be contracted to assist with the provision of names of possible candidates and the initial evaluation. In most cases the vacant position/s will not be advertised as this would not normally be expected to add any significant value to the process.

Following the search process a short list of recommended candidates will be provided to the Joint Committee for its consideration.

Appointment

Formal confirmation of the appointment will be made by the CRLJC at a properly constituted meeting. It is expected that the process will be undertaken on a confidential “public excluded” basis to protect the privacy of the individuals concerned.

Reappointment

Where a director's term of appointment has expired and he or she is offering him/herself for reappointment, the CRLJC will consult on a confidential basis with the TCL Chairperson with regard to:

- Whether the skills of the incumbent add value to the work of the board;
- Whether there are other skills which the board needs;
- Succession issues.

The CRLJC will consider the information obtained and, taking into account the director's length of tenure decide on the appropriateness of reappointment or making a replacement appointment.

Where reappointment is not considered appropriate then the appointment process outlined above will apply.

Length of tenure

Directors will normally be appointed for periods of three years. Subject to a review of the directors performance after each three year period, the normal tenure for a director will be six to nine years. Following nine years of service, a director may be re-appointed for a further three years in exceptional circumstances.

Councillor Directors

Search

The required skills knowledge and experience of a Councillor appointment to the TCL board should be similar to those applied to external director appointees. A similar process to that used for external appointees should be used, with the services of either an external consultant or the Governance Committee of Christchurch City Holdings Ltd being utilised to recommend candidates.

~~In respect to the Councillor director representing the CCC expressions of interest will be sought from all CCC Councillors and list of recommended candidates will be provided for the consideration of the Joint Committee.~~

The Councillor director representing the CCC should be nominated by the three CCC representatives on the CWSC in accordance with the provisions contained in the Constituting Agreement.

~~The four shareholder members of the CRLJC other than the CCC, will be responsible for the nomination of candidates for the one director representing them, who may be a Councillor from any of the four shareholder Councils other than the CCC~~

The four shareholder Councils of the Canterbury Regional Landfill Joint Committee other than the Christchurch City Council, will be responsible for the nomination of candidates for the one director representing them, who shall be one of the councillors appointed by the four shareholder Councils, other than the Christchurch City Council, to the Canterbury Regional Landfill Joint Committee.

The Christchurch City Council expects its representatives on the CRLJC to support the principles set out in the Council's appointments policy when such matters are considered by them.

In general terms, the Council wishes its representatives to apply similar criteria to potential candidates to those used by Christchurch City Holdings Ltd in its assessment of candidates for other CCTO's. In particular this principle set out in the Council's appointments policy that directors of CCTO's will be appointed on the basis of the contribution they can make to the organisation, and not on the basis of representation, is considered to be relevant.

In respect of Councillor appointments, the Council would expect its representatives to also take into account a candidate's potential to quickly acquire business and financial skills, as well as his or her existing skills and experience.

Length of Tenure

Any Councillor directors will be appointed for a three year term and should be appointed at the first meeting of the CRLJC following the triennial local government elections. In the situation where a Councillor has been appointed to the TCL board but fails to retain their seat in the elections, or resigns from their position as an elected representative, then their position may be reviewed by the CRLJC before expiry of their full term of three years.

6. Remuneration of Directors

The CRLJC may recommend to TCL that TCL reviews the level of remuneration made available to its nominee directors appointed by the CRLJC.

In recommending a review of remuneration, CRLJC will take account of the following factors:

- The need to attract and retain appropriately qualified directors;
- The levels of remuneration paid to comparable companies in New Zealand;
- The performance of the company and any changes in the nature of its business;
- Any other relevant factors.

In general, it is intended that directors of TCL should receive a level of remuneration that is competitive with the general market, while recognising that there will be differences from time to time, particularly in the period between reviews. Professional advice will be sought where necessary.

The Christchurch City Council would expect its representatives to apply similar policies and practices as are applied by Christchurch City Holdings Limited in its review of the remuneration of CCTO Boards.

The CRLJC also supports the payment by TCL of directors' liability insurance and the indemnification of directors.

Draft November 2007

12. 8. 2011

5. APPOINTMENT OF A DIRECTOR REPRESENTING CHRISTCHURCH CITY COUNCIL

General Manager responsible:	General Manager, City Environment, DDI 941-7305
Officer responsible:	City Water and Waste Unit Manager
Author:	Zefanja Potgieter, Senior Resource Planner

PURPOSE OF REPORT

To appoint a councillor director for Christchurch City Council.

BACKGROUND

Councillor Sally Buck's term as councillor director on the board of Transwaste Canterbury Ltd started on 12 February 2007 and formally ended with the September 2010 elections. In terms of Transwaste protocol she remains on the board until the committee has informed the company differently.

The Transwaste Board of eight directors is made up of four directors representing the territorial authority members (Ashburton, Christchurch, Hurunui, Selwyn and Waimakariri) and four directors representing Transpacific Industries Ltd. The four territorial authority directors are made up of two Canterbury Regional Landfill Joint Committee elected members, one from the Christchurch City Council representatives (currently Councillor Sally Buck) and one from the four other rural council representatives. In addition the Committee appoints two directors external to any of the member councils, to provide commercial input. These two directors are Gill Cox, Chairman of the Board, and Gerry Clemens.

The appointment of directors to the Board of TCL by the committee is provided for in the Constituting Agreement for the committee and the TCL Shareholders Agreement. The committee has authority to appoint directors in accordance with the relevant policy adopted by the committee on 10 March 2008.

There are no financial considerations as directors' fees are paid by TCL, not by the shareholder councils.

In terms of clause 14 (a) and (b) of the Constituting Agreement, members vote on the basis that the members appointed to represent Christchurch City Council are entitled to 50 per cent of the votes able to be cast (which votes must be cast as a block and cannot be split), and the members appointed to represent the other four councils are entitled to one vote each.

Note: In accordance with the exemption in clause 6(3) of the Local Authority (Members' Interests) Act 1968, this is not a topic on which members are required to declare a pecuniary interest and retire from discussion and voting.

The three Christchurch City Members wish to nominate Councillor Sally Buck as the Councillor Director representing the Christchurch City Council on the Board of Transwaste Canterbury.

STAFF RECOMMENDATION

It is recommended that the Canterbury Regional Landfill Joint Committee appoint Councillor Sally Buck as the Councillor Director to represent Christchurch City Council on the Board of Transwaste Canterbury until 28 February 2014.

12. 8. 2011

6. APPOINTMENT OF A REPRESENTATIVE TO ATTEND THE TRANSWASTE CANTERBURY LTD ANNUAL GENERAL MEETING

General Manager responsible:	General Manager, City Environment, DDI 941-7305
Officer responsible:	City Water and Waste Unit Manager
Author:	Zefanja Potgieter, Senior Resource Planner

PURPOSE OF REPORT

1. The purpose of this report is to appoint a representative to attend the Transwaste Canterbury Ltd Annual General Meeting (AGM), which will be held on a date to be advised in November 2011 in Christchurch.

BACKGROUND

2. The Transwaste Board has advised that the 2011 AGM will be held on a date to be advised in November 2011. It is intended that the AGM will, as has become the custom, be followed by a shareholder briefing which includes indicative pricing for the next year. Each shareholder group appoints a representative for the AGM, with the form to be received by Transwaste prior to the meeting commencing.
3. All rights of the Councils are exercised through the Canterbury 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.
4. The Committee therefore needs to formally appoint a representative before the AGM, and it is advisable to appoint an alternate to cover for unforeseen contingencies that might arise. The proxy voting form is attached (**Attachment 1**).

STAFF RECOMMENDATION

That the Canterbury Landfill Joint Committee appoint a representative and an alternate, to attend and vote at the Transwaste Canterbury Ltd Annual General Meeting in November 2011.

ATTACHMENT 1 TO CLAUSE 6 CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE 12.8.2011

The Secretary
Transwaste Canterbury Limited
PO Box 13 244
CHRISTCHURCH 8141

**TRANSWASTE CANTERBURY LIMITED
PROXY FORM / APPOINTMENT OF REPRESENTATIVE**

We, Canterbury Landfill Joint Committee, representing the Council members of the above named company, hereby appoint

..... of

..... or failing him/her,

..... of

..... or failing him/her,

..... of

as our proxy to vote for us on our behalf at the Annual Meeting of the company to be held on the 15th day of October 2010, and at any adjournment thereof.

.....

Signed this 12th day of August 2011

12. 8. 2011

7. TRANSPORT COSTS FOR WASTE TO KATE VALLEY 2010/11

General Manager responsible:	General Manager City Environment , DDI 941-7305
Officer responsible:	City Water and Waste Unit Manager
Author:	Zefanja Potgieter, Senior Resource Planner

PURPOSE OF REPORT

1. To approve the annual transport cost arrangement for waste transported to Kate Valley landfill for 2011/11.

BACKGROUND

2. On 6 September 2004 the Canterbury Waste Subcommittee passed a resolution to implement a shared transport cost arrangement whereby Christchurch City Council, Banks Peninsula District Council (since amalgamated with Christchurch City) and Waimakariri District Council proportionally (based on population) contribute towards the transport costs for waste sent to Kate Valley landfill by Ashburton and Selwyn District Councils. By agreement the Hurunui District Council, as host council to the landfill, is not part of the cost share arrangement, the purpose of which is to ensure that communities further away from the landfill are not disadvantaged through higher transport costs.
3. The table below sets out a summary of 2010/11 financial year information based on all waste tonnages going to Kate Valley from Ashburton and Selwyn districts. Last year's figures are in italics.

	Total waste in tonnes	Average cost per 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	8,061.92 <i>(8,375.85)</i>	27.20 <i>(28.89)</i>	219,284.22 <i>(241,978.31)</i>	321,421.32 <i>(499,188.27)</i>	102,137.10 <i>(257,209.96)</i>	95,942.79 <i>(236,381.13)</i>	6,194.31 <i>(20,828.83)</i>
Selwyn	11,700.08 <i>(9,988.08)</i>	27.20 <i>(28.89)</i>	318,242.18 <i>(288,555.63)</i>	353,693.06 <i>(304,118.50)</i>	35,450.88 <i>(15,562.87)</i>	33,300.89 <i>(14,302.59)</i>	2,149.99 <i>(1,260.28)</i>

4. The agreed mechanism for payments to Ashburton and Selwyn Councils is via a request by the Joint 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. The calculations are based on the following rules:
 - (a) The number of return trips that would have been required by each district if all loads had been full loads.
 - (b) The annual transport costs for all councils combined, based on full load trips.
 - (c) The average cost per tonne for all councils combined, based on full load trips.
 - (d) 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).
 - (e) 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 City and Waimakariri.

12. 8. 2011

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- (f) Contributions required from Christchurch City and Waimakariri shall be proportioned on the basis of annual tonnages from these councils.

STAFF RECOMMENDATIONS

It is recommended that the Canterbury Landfill Joint Committee

- (a) Approves the 2010/11 transport cost payments to Ashburton and Selwyn District Councils as set out in the report.
- (b) Requests Transwaste Canterbury Ltd to implement the payments set out above by adjusting its dividend payments to the participating territorial authority shareholders.

12. 8. 2011

8. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.

12. 8. 2011

CANTERBURY REGIONAL LANDFILL JOINT COMMITTEE

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 9 and 10.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
9. MINUTES OF MEETING - 29 APRIL 2011) GOOD REASON TO	SECTION 48(1)(a)
10. MINUTES OF MEETING – 24 JUNE 2011 (SPECIAL MEETING)) WITHHOLD EXISTS UNDER SECTION 7	

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 9. Protection of Privacy of Natural Person (Section 7(2)(a))
Item 10. Prejudice Commercial Position

Chairman's

Recommendation: That the foregoing motion be adopted.

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.”