



TRIENNIAL AGREEMENT WAIKATO REGION



ROTORUA
DISTRICT
COUNCIL



STATEMENT OF INTENT

This agreement represents the shared desire of local government in the Waikato Region to work collaboratively, to maximise efficiency and to promote well-being in their respective communities.

PREAMBLE

The Local Government Act 2002 recognises that each individual local authority is only one player in the achievement of community well-being, and that well-being goes beyond local authority boundaries. The Act further recognises that local authorities will need to collaborate with a variety of agencies to find solutions to local issues. The main framework for co-ordinating the collaboration between different local authorities is the Triennial Agreement.

PURPOSE

Through this Triennial Agreement, local authorities are encouraged to work together to promote the well-being of their communities in all of their social, economic, environmental and cultural aspects, consistent with the principles of sustainable development. This agreement provides an opportunity for improved communication and co-ordination at all levels of local government in the Waikato Region.

It is recognised that a significant level of formal and informal co-operation already exists between local authorities. The success of the Triennial Agreement will be demonstrated through expanded relationships that help local authorities to work co-operatively and collaboratively to advance community goals (outcomes). This agreement does not address local authorities' relationships with Central Government agencies or other important sectors of the community, each of which will also be important to the effective delivery of community outcomes.

LEGAL REQUIREMENTS

This document is deemed to duly constitute fulfilment of section 15 and section 273 of the Local Government Act 2002.

Section 15 of the Local Government Act 2002 requires that:

- 1 Not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement containing protocols for communication and co-ordination among them during the period until the next triennial general election of members.
- 2 Each agreement must include a statement of the process for consultation on proposals for new regional council activities.
- 3 After the date specified in subsection (1), but before the next triennial general election of members, all local authorities within each region may meet and agree to amendments to the protocols.
- 4 An agreement remains in force until replaced by another agreement.

Section 273 requires that:

All local authorities within a region on 1 July 2003 must, before the close of 31 December 2003, enter into an agreement under section 15 [Triennial Agreements], which agreement must contain protocols for communication and co-ordination among them during the period until the next triennial general election of members.

In addition, other sections of the Act also require collaboration:

Section 14 (e)

a local authority should collaborate and co-operate with other local authorities and bodies as it considers appropriate to promote or achieve its priorities and desired outcomes, and make efficient use of resources.

Section 16 – (summary)

if a regional council, or a regional council-controlled organisation, proposes to undertake a significant new activity, the regional council must advise all the territorial authorities within its region of the proposal and seek their agreement.

Section 91(3)(a)

the local authority—

- (a) must, before finally deciding on that process, take steps—
 - (i) to identify, so far as practicable, other organisations and groups capable of influencing either the identification or the promotion of community outcomes; and
 - (ii) to secure, if practicable, the agreement of those organisations and groups to the process and to the relationship of the process to any existing and related plans.

Section 92(2)

...the local authority must seek to secure the agreement of organisations and groups identified under section 91(3)(a) to the monitoring and reporting procedures, including the incorporation of any research, monitoring, or reporting undertaken by those organisations and groups.

SIGNATORIES

The parties:

- Franklin District Council
- Hamilton City Council
- Hauraki District Council
- Matamata-Piako District Council
- Otorohanga District Council
- Rotorua District Council
- South Waikato District Council
- Taupo District Council
- Thames-Coromandel District Council
- Waikato District Council
- Waikato Regional Council / Environment Waikato
- Waipa District Council
- Waitomo District Council

PRINCIPLES

Signatories to this agreement recognise that:

- 1 The communities within the Region are diverse and encompass a range of desired outcomes. Issues and concerns that are shared by some local authorities may be of little relevance to others. This Triennial Agreement acknowledges that it will be appropriate to have a range of sub-agreements on local issues between and among local authorities.
- 2 Collaboration among local authorities is necessary to address increasingly complex governance issues. Many issues cannot be solved by any one agency acting alone. Issues such as community safety and sustainable development do not have simple solutions.
- 3 It is desirable that collaboration occur at both the political and operational level.
- 4 Collaboration can make planning more efficient, reduce costs, increase available resources and help make strategic judgements about the allocation of resources.
- 5 Collaboration can help local authorities promote the social, economic, cultural and environmental well-being of communities in the Region.
- 6 This agreement establishes a platform for ongoing discussion and consultation on issues, policy and programmes.

GENERAL APPROACH TO CONSULTATION

Signatories to this agreement will endeavour to:

- 1 Hold a meeting of Mayors, regional Chairmen and their Chief Executives every six months to review the performance of the agreement and discuss outstanding issues. Meetings will be co-ordinated and minutes kept on a rotating basis by the signatory councils, and minutes distributed to each council within the Region. This does not preclude meetings being co-ordinated by councils other than the council next on the rotation, on request. All public communications from these meetings will be approved by all participants prior to their release.
- 2 Share resources for the purpose of preparing background information on the various communities within the Region. Such information may include demographics, survey data and scientific studies and the analysis of social, economic, environmental and cultural trends.
- 3 Work together, as far as practical, to develop a common process for identifying community outcomes in order to minimise costs and the consultation burden on the public.
- 4 Develop joint approaches to engaging Government agencies and other organisations.
- 5 Develop joint approaches to measuring and reporting on progress toward community outcomes.
- 6 Promote communication and co-operation among the local authorities in the Region.

- 7 Provide early for notification of, and participation in, decisions that may affect other local authorities in the Region.
- 8 Make draft strategies, policies and plans available to all local authorities in the Region for discussion and development.
- 9 Use existing structures to pursue greater collaboration within the Region (refer to Appendix One).
- 10 Use our statutory reporting documents to report steps taken to implement the intent of this document.

SIGNIFICANT NEW ACTIVITIES PROPOSED BY THE REGIONAL COUNCIL

If the Regional Council or a regional council-controlled organisation proposes to undertake a significant new activity, Section 16 of the Local Government Act 2002 shall be adhered to.

As part of this communication process, the parties agree to discuss the issues involved at one or more of the existing forums, and to provide early drafts of proposals to affected councils for early comment. This includes amendment of the Regional Council's significance policy.

Where it is proposed that the Regional Council undertake significant new activities that are undertaken or have been proposed in a draft annual plan or draft Long-Term Council Community plan to be undertaken by one or more territorial authorities within the Region:

- a. The Regional Council will as soon as practicable inform all territorial authorities within the Region of:
 - the nature of the activity proposed to be undertaken
 - the scope of the proposal (including size, districts covered and why)
 - the reasons for the proposal.
- b. Territorial authorities will be given a reasonable period of time, but no less than 40 working days, to respond to any such proposal. The Regional Council agrees to fully consider any submissions and representations on the proposal made by territorial authorities within the Region.
- c. Should there be substantive disagreement between the local authorities about whether the Regional Council should undertake the activity, the parties agree to refer the matter to mediation, as set out in the process in this agreement for resolving disagreement.

RESOLVING DISAGREEMENT

In the event of a disagreement over the terms of this agreement, the parties agree to refer the issue of disagreement to mediation for a resolution. If no agreement is forthcoming a mediator will be appointed by the president of the Waikato Bay of Plenty District Law Society. If mediation is unsuccessful, any of the local authorities affected may ask the Minister of Local Government to make a decision on the proposal.

AUTHORITY

This agreement is signed on this day ____ of _____ 2003, by the following on behalf of their respective authorities.

COUNCIL

Franklin District Council

NAME	POSITION	SIGNATURE
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Hamilton City Council

NAME	POSITION	SIGNATURE
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Hauraki District Council

NAME	POSITION	SIGNATURE
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Matamata-Piako District Council

NAME	POSITION	SIGNATURE
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Otorohanga District Council

NAME	POSITION	SIGNATURE
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Rotorua District Council

NAME	POSITION	SIGNATURE
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South Waikato District Council

NAME	POSITION	SIGNATURE
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Taupo District Council

NAME	POSITION	SIGNATURE
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Thames-Coromandel District Council

NAME	POSITION	SIGNATURE
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Waikato District Council

NAME	POSITION	SIGNATURE
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Waikato Regional Council /
Environment Waikato

NAME	POSITION	SIGNATURE
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Waipa District Council

NAME	POSITION	SIGNATURE
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Waitomo District Council

NAME	POSITION	SIGNATURE
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APPENDIX ONE

Existing structures that promote communication and collaboration include, but are not limited to:

FORUM

COMMENTS

Association of Local Government Information Management	Mission is to provide leadership to Local Government in Information Management and Information Processes. http://www.algim.org.nz/
Civil Defence and Emergency Management Group	A political governance group with local authority representatives from across the Region.
Forum for Integrated Resource Management	Forum that facilitates district and Regional planners to work together addressing integrated resource management within the Waikato Region.
Ingenium, the Association of Local Government Engineers New Zealand	
Institute of Professional Engineers	
Intersect Waikato	Central Government agencies and local government representation through Hamilton City and Waikato District Chief Executives.
Joint Resource Management Party	Hamilton City Council, Waipa District Council and Waikato District Council.
Leisure Managers Forum	
Local Authorities Public Relations Network	Public Relations/Communications practitioners from Waikato councils.
Mayoral Forum	Bi-annual meeting of Mayors and CEOs to discuss issues of regional interest.
Metronet	Public Libraries.
Museums Aotearoa	
New Zealand Parking Association	To aid each other in understanding and interpreting parking law, developing and improving common standards, training and methods. In recent times also lobbying Government and public relations.
NZ Cemeteries & Crematoriums Association	
NZ Planning Institute	Seeks to: promote the conservation, protection and enhancement of the natural and human environment; promote the wise use and management of resources; promote the means by which community goals and objectives are set and adjusted.
NZ Recreation Association	
Resource Consent Liaison Forum	Local authority water treatment staff meet quarterly to discuss issues related to asset management functions and responsibilities.

FORUM

COMMENTS

Society of Local Government Managers (Zone 2)	Meets quarterly to provide seminars and networking opportunities for first and second level managers.
Waikato – Bay Of Plenty Waste Liaison Group	Co-ordinate and integrate waste management, including minimisation, initiatives across the Regions and to share information.
Waikato Biodiversity Forum	A Regional partnership to help protect our native biodiversity.
Waikato District Health Board and District Councils' planners group	Made up of Corporate, Strategic and Community Planners. The Waikato DHB and Councils' Planners Group exists for the purpose of intersectoral collaboration.
Waikato Information Forum (WINFO)	Information managers and planners from local authorities, universities and the health sector.
Waikato Rating Users Group	Meeting of revenue and rating managers from Waikato Councils.
Waikato Regional Land Transport Committee	Includes public, transport, and territorial authority representatives. Advises on public transport and road safety.
Waikato/ Bay Of Plenty Electoral Officers Forum	Meeting of electoral officers from councils in this Region.
Water and Drainage Managers	