

01 MAR 2005

WELLINGTON REGIONAL TRIENNIAL AGREEMENT

SCOPE

This agreement is drafted in order to meet the requirements of s. 15 of the Local Government Act 2002.

The Local Government Act 2002 (hereafter referred to as 'the Act') is intended to provide the necessary flexibility for councils to work cooperatively and collaboratively together and with other public bodies to advance community goals and to improve community wellbeing. The scope of this agreement includes the current cooperative and collaborative projects already in place in the Wellington Region and work being undertaken to establish structures and protocols associated with specific issues, and aims to build on these.

PURPOSE

The parties to this agreement commit to working for the good governance of their city, district or region by acting cooperatively and collaboratively. It is intended that this agreement will ensure that appropriate levels of consultation and coordination are maintained between the councils of the Wellington Region. It is intended that the process of arriving at this agreement, and its ongoing operation should contribute to the strengthening of the regional relationships.

AGREEMENT PROTOCOLS

The parties:

Carterton District Council
Greater Wellington Regional Council
Hutt City Council
Kapiti Coast District Council
Masterton District Council
Porirua City Council
South Wairarapa District Council
Upper Hutt City Council
Wellington City Council

in accordance with the requirements of the Act agree to work in accordance with the following protocols.

PROTOCOLS AND PRINCIPLES

- the councils of the Wellington Region will work together on issues where it is agreed that the population of greater Wellington will benefit from a regionally collaborative approach.

where a council has a significant disagreement with the position of the others, the group will make every effort to accommodate, acknowledge or at least fairly represent the dissenting view

- the councils of the Wellington Region will proactively present their case to the Government and other councils from other regions to ensure that the Wellington population is not disadvantaged
- where a significant decision or issue affects a particular council, or its population, then it should have the lead role in formulating the region's response
- the agreement acknowledges each council's unique accountability
- the councils agree to act in good faith on issues of information and disclosure
- the councils agree to work collaboratively in an open and transparent manner
- the councils agree to build on work currently being undertaken within the region and to continue to address issues of co-ordination, roles and responsibilities.

As signatories to this agreement each council will ensure:

- early notification to affected councils, through the distribution of draft documentation, of major policy discussions which may have implications

beyond the boundaries of the decision-making council. This specifically includes the development of consultation policies and policies on significance.

- opportunities for councils in the region, to be involved in early consultation on the development of each others draft annual plan and draft long-term council community plans and other significant policy consultation processes
- the application of a 'no surprises' policy whereby early notice will be given over disagreements between councils concerning policy or programmes, before critical public announcements are made
- that in accordance with s.91(3)(ii) of the Act, and where practicable, processes for engaging with communities and agencies in order to identify community outcomes, and prioritise those outcomes, will be undertaken jointly or in a collaborative manner which avoids unnecessary duplication.

PROTOCOLS AND OTHER ISSUES

In accordance with the scope of this agreement, the parties agree that, in addition to the general obligations under this agreement to consult, the councils of the Wellington Region will continue to meet together in various fora to develop common approaches on the following issues identified as priorities for the region:

- transport
- e urban growth
- infrastructure
- economic development
- e recognising that the Wellington Regional Strategy process is the appropriate vehicle by which to address some of those issues

PROTOCOLS FOR CONSULTATION

Consultation in relation to this agreement will take the following forms:

- a meeting of the Mayors, Regional Council Chair and their Chief Executives will occur at least once every six months to discuss general policy business and to review the performance of the agreement

- existing regional and sub-regional fora such as:
 - The Wellington Mayoral Forum
 - Wellington Regional Leaders' Forum
 - The Joint Wairarapa Councils Meeting
 - The Wellington Regional Strategy Forum

- meetings between staff as necessary to achieve communication and coordination on issues identified in the agreement.

PROTOCOLS FOR NEW REGIONAL COUNCIL ACTIVITIES

Section 15(2) of the Act requires that each triennial agreement must include a statement of the processes for consultation on proposals for new regional council activities:

- where a proposed new regional council activity is significant in terms of the Wellington Regional Council's policy on significance, the process will be as set out in **s. 16** of the Act

- where a proposed new regional council activity is not significant in terms of the Wellington Regional Council's policy on significance, the Regional Council undertakes to notify all other councils in the region prior to commencing any public consultation, in line with the principles of 'no surprises', transparency and good faith.

Where the parties to this agreement are unable to agree, dispute procedures are set out in **s.16(4)-(7)** of the Act.

SERVICING PROTOCOLS

The parties agree that responsibility for servicing this agreement shall be shared with responsibility passing from local authority to local authority at the start of each financial year. Servicing involves:

- providing those secretarial services required
- within the limits outlined in the protocols and principles above, acting as a media and communications contact (including the provision of information to the public on request) in relation to matters covered in the agreement.

The parties agree that the Greater Wellington Regional Council will be the council responsible for servicing this agreement for the 2005 year (Carterton District Council took the role for 2004), after which it shall pass to the remaining local authorities alphabetically, unless otherwise agreed.

The parties also agree that responsibility for servicing, and making media comment on behalf of, existing specific regional and sub-regional forums, will lie within those specific forums.

PROTOCOLS FOR REVIEW OF THE AGREEMENT

The parties agree to review the terms of this agreement in accordance with s. 15(3) of the Act, within four weeks of a request by one of the councils made in writing to the council delegated responsibility to service the Agreement.

PROTOCOLS FOR RESOLVING DISAGREEMENT

In the event of a disagreement over the terms of this agreement the parties agree to refer the issue of disagreement to arbitration for non-binding resolution. If no agreement on an arbitrator is forthcoming a mediator will be appointed by the president of the Wellington District Law Society.


AUTHORITY

This agreement is signed on this _____ day of _____ 2004, by the following on behalf of their respective councils.

COUNCIL

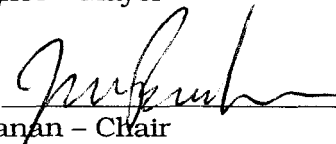
SIGNATURE

Carterton District Council



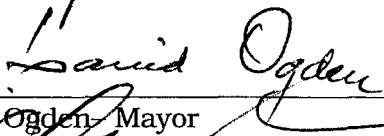
Gary McPhee - Mayor

Greater Wellington Regional Council



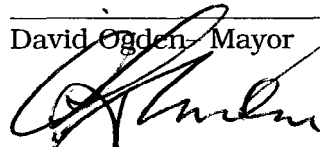
Ian Buchanan - Chair

Hutt City Council



David Ogden - Mayor

Kapiti Coast District Council



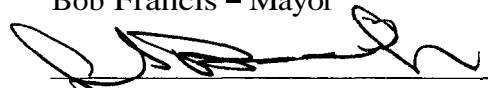
Alan Milne - Mayor

Masterton District Council



Bob Francis - Mayor

Porirua City Council



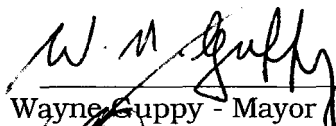
Jenny Brash - Mayor

South Wairarapa District Council



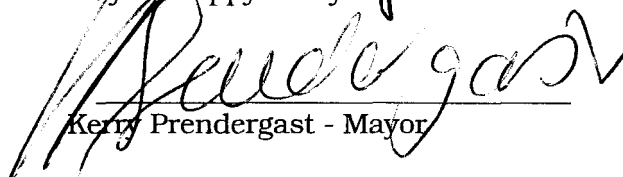
Adrienne Staples - Mayor

Upper Hutt City Council



Wayne Guppy - Mayor

Wellington City Council



Kerry Prendergast - Mayor