
REPORT 3

WELLINGTON REGION TRIENNIAL AGREEMENT

1. Purpose of report

The Local Government Act (LGA) 2002 requires that all local authorities in each region enter into a Triennial Agreement that sets out how they will work together for the good governance of their cities, districts and region.

Under the LGA 2002, the Triennial Agreement for 2013 – 2016 must be agreed by 1 March 2014. This report recommends that Council approve the attached Triennial Agreement.

2. Recommendations

Officers recommend that Council:

- 1. Receive the information.*
- 2. Agree the draft Triennial Agreement attached in Appendix 1.*
- 3. Agree to delegate to the Chief Executive Officer and the Mayor the authority to make any minor amendments required as a result of minor changes requested by other local authorities in the region as part of the adoption process.*

3. Background

Section 15 of the LGA 2002 requires all local authorities within a region to enter into an agreement every triennium providing:

- protocols for communication and coordination between the councils s15(1); and
- a statement of the consultation process that will be used for proposals on new regional council activities s15(2).

The triennial agreement must be agreed by 1 March after each local authority election.

The role of administering authority is shared across the nine councils in the Wellington region. The role is passed from one local authority to the next at the start of each triennium and includes providing secretarial services and acting as the contact for media and other communications. South Wairarapa District Council will service this agreement for the 2013-16 triennium.

4. Discussion

The attached draft agreement has been reviewed by the Chief Executives Forum and contains a number of additions from the last Triennial Agreement that reflect current discussions on shared services that is taking place in the region.

The Mayoral Forum has also considered the matter and has recommended that any preliminary work on shared services be guided by the following principles:

1. *Transferable* – regardless of future decisions around governance, that any approach to shared services be transferrable to any new council structure.
2. *Beneficial* – that shared services focus on back office services where these will result in significant cost savings, and focus on the delivery of functions that result in more effective and efficient delivery for households and businesses.
3. *Sustainable* – that the approach has longevity and sets a benchmark for quality service provision in the region but can be scaled up.
4. *Urgent* – that the approach can realise benefits quickly and, if necessary, start small.

These draft principles will guide any work on shared services, and are included in the updated Triennial Agreement for agreement.

The principles inform a high level draft work programme agreed by the Mayoral Forum that focuses on the following four areas:

- ICT Back Office Partnership (led by Wellington City Council)
- Economic Development (led by Wellington City Council)
- Regional Spatial Planning (led by Greater Wellington Regional Council)
- Water Services (led by Hutt City Council and Greater Wellington Regional Council).

Other matters identified as priorities to be worked on across the region are also signaled in the Triennial Agreement. This includes: emergency management, a housing accord, transport, infrastructure, Wellington governance arrangements, regional amenities, climate change and biodiversity.

The Triennial Agreement simply outlines an agreement to work collaboratively on matters of mutual interest and explore whether some services can better be delivered through some form of shared service arrangement. It is important to note that decisions to enter into any form of shared service arrangement are the domain of each and every Council.

4.1 Consultation and Engagement

The Triennial Agreement 2013-2014 has been reviewed by officers and the Chief Executives of each local authority in the Wellington region.

4.2 Financial Considerations

There are no financial considerations in the development or agreement of the Triennial Agreement 2013-2016.

4.3 Long-Term Plan Considerations

The development and agreement of the Triennial Agreement 2013–2016 has no impact on the Long Term Plan.

5. Conclusion

Section 15 of the LGA 2002 requires local authorities to approve a triennial agreement by 1 March after each general election.

The attached Triennial Agreement 2013-2016 has been redrafted to include some minor changes to reflect discussions on shared services.

Contact Officer: Baz Kaufman – Strategy

Supporting Information
<p>1) Strategic Fit / Strategic Outcome</p> <p><i>The Triennial Agreement includes a range of priorities for the region.</i></p>
<p>2) LTP/Annual Plan reference and long term financial impact</p> <p><i>There is no annual plan reference.</i></p>
<p>3) Treaty of Waitangi considerations</p> <p><i>There are no Treaty of Waitangi implications.</i></p>
<p>4) Decision-Making</p> <p><i>This is not a significant decision.</i></p>
<p>5) Consultation</p> <p><i>No consultation is required</i></p>
<p>6) Legal Implications</p> <p><i>There are no legal implications arising from this paper.</i></p>
<p>7) Consistency with existing policy</p> <p><i>This report is consistent with existing policy.</i></p>

APPENDIX 1

WELLINGTON REGIONAL TRIENNIAL AGREEMENT 2013 - 2016

1. SCOPE

- 1.1 This agreement is drafted in order to meet the requirements of s.15 of the Local Government Act 2002.
- 1.2 The Local Government Act 2002 (hereafter referred to as 'the Act') is intended to provide the necessary flexibility for councils to work co-operatively 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 co-operative 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.

2. PURPOSE

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

3. PARTIES TO AGREEMENT

- 3.1 The parties to this agreement are:
 - 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
- 3.2 In accordance with the requirements of the Act, and in the spirit of collaboration that they wish to foster within the region, the parties agree to work in accordance with the protocols outlined in this agreement.

4. PROTOCOLS

- 4.1 The councils of the Wellington Region will work together on issues where it is agreed that the Region and the communities within it will benefit from a regionally collaborative approach.
- 4.2 The councils of the Wellington Region will work together in line with the protocols and principles outlined in the Wellington Regional Strategy Multilateral Agreement in regard to the Wellington Regional Strategy.

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- 4.3 When 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.
- 4.4 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 Region's interests are protected and enhanced.
- 4.5 When a significant decision or issue affects a particular council, or its population, then that council should have the lead role in formulating the Region's response.
- 4.6 The agreement acknowledges each council's unique accountability.
- 4.7 The councils agree to act in good faith on issues of information and disclosure.
- 4.8 The councils agree to work collaboratively in an open and transparent manner.
- 4.9 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.
- 4.10 As signatories to this agreement all councils will ensure provision of the following:
 - a) 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.
 - b) Opportunities for all councils in the Region to be involved in early consultation on the development of each other's draft Annual Plan and draft Long Term Plan and other significant policy consultation processes.
 - c) 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.

5. CONSULTATION

- 5.1 Consultation in relation to this agreement will be undertaken within the following groups:
 - a) 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.
 - b) Existing regional and sub-regional forums such as:
 - The Wellington Regional Mayoral Forum
 - The Joint Wairarapa Councils' Meeting
 - The Wellington Regional Strategy Committee
 - The Wellington Regional Transport Committee
 - LGNZ Zone Four
 - Regional Civil Defence Emergency Management

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- c) Meetings between staff as necessary to achieve communication and co-ordination on issues identified in the agreement.
- 5.2 Under Section 15(2) of the Act, the following consultation processes will apply to proposals for new Regional Council activities:
- a) 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.
 - b) 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.
 - c) Where the parties to this agreement are unable to agree, dispute procedures set out in s.16 (4)-(7) of the Act will apply.
- 5.3 The following consultation process will apply to any change, variation, or review of the Regional Policy Statement for the Wellington Region, and the preparation of any future Regional Policy Statement:
- a) The Regional Council will seek the input of territorial authorities into the review of the Regional Policy Statement for the Wellington Region.
 - b) The Regional Council will make available to all local authorities, for discussion and development, draft copies of:
 - any change or variation of to the Regional Policy Statement
 - any proposed Regional Policy Statement.
 - c) Territorial authorities will be given a reasonable period of time, but no less than 30 working days, to respond to any such proposal. The Regional Council agrees to consider fully any submissions and representations on the proposal made by territorial authorities within the Region.

6. OTHER ISSUES

The parties agree that, in addition to the general consultation obligations of this agreement, the councils of the Wellington Region will continue to meet together in various forums to develop common approaches on issues identified as priorities for the Region, including the progressing of Shared Services initiatives consistent with the following principles:

Shared Services Principles

In giving effect to shared services the councils will adopt the following principles to guide progress towards implementation of shared services across the region:

1. **Transferable** - regardless of future decisions around governance, that any approach to shared services be transferrable to any new council structure.
2. **Beneficial** - that shared services focus on back office services where these will result in significant cost savings, and focus on the delivery of functions that result in more effective and efficient delivery for households and businesses.
3. **Sustainable**/ that the approach has longevity and sets a benchmark for quality service provision in the region but can be scaled up.

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4. **Urgent** – that the approach can realise benefits quickly and, if necessary, start small.

6.1 **Shared Services**

The Mayoral Forum will prioritise the development of active shared services throughout the region in four areas. These are:

6.1.1 ICT Back Office Partnership

This will progress the work on the ICT initiative being delivered through the current contract with Deloitte. The Chief Executives will consider development priorities for the region in respect of ICT possibilities in early 2014 following consideration of the feasibility study delivered to them by Deloitte at the end of 2013. (Led by Wellington City Council)

6.1.2 Economic Development

The Region will continue to develop an improved economic development framework incorporating the Wellington Regional Strategy and economic development initiatives being undertaken by each of the region's councils. (Led by Wellington City Council)

6.1.3 Regional Spatial Planning

To advance planning for and the preparation of a Regional Spatial Plan. (Led by Greater Wellington Regional Council.)

6.1.4 Water Services

To further develop the work on the integration of water services throughout most of the metropolitan area of the region. (Led by Hutt City Council and Greater Wellington Regional Council.)

6.2 Other matters identified as priorities for the region include:

- **Emergency Management**
The continued successful operation of the Wellington Region Emergency Management Office.
- **Housing Accord**
To work collaboratively on initiatives to promote affordable housing throughout the region by working with the Government through its Housing Accord legislation.
- **Transport**
- **Infrastructure**
- **Wellington Governance**
- **Regional Amenities**
- **Climate Change**
- **Biodiversity.**

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7. SERVICING

- 7.1 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 triennium. 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.
- 7.2 The parties agree that the South Wairarapa District Council will be the council responsible for servicing this agreement for the 2013 -2016 triennium (Porirua City Council took the role for the 2010 -2013 triennium), after which it shall pass to the remaining local authorities as listed in appendix one, unless otherwise agreed.
- 7.3 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.

8. 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.

9. DISPUTE RESOLUTION

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 an arbitrator will be appointed by the President of the Wellington Branch of the New Zealand Law Society.

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This agreement is signed on this _____ day of _____
2014, by the following on behalf of their respective councils.

Carterton District Council _____
Ron Mark - Mayor

Greater Wellington Regional Council _____
Fran Wilde - Chair

Hutt City Council _____
Ray Wallace - Mayor

Kapiti Coast District Council _____
Ross Church- Mayor

Masterton District Council _____
Lyn Patterson - Mayor

Porirua City Council _____
Nick Leggett - Mayor

South Wairarapa District Council _____
Adrienne Staples - Mayor

Upper Hutt City Council _____
Wayne Guppy - Mayor

Wellington City Council _____
Celia Wade-Brown - Mayor

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Appendix One: Servicing Responsibility

<u>Party Responsible</u>	<u>Financial Year</u>
	<u>Triennium</u>
Masterton District Council	2007-10
Porirua City Council	2010-13
South Wairarapa District Council	2013-16
Upper Hutt City Council	2016-19
Wellington City Council	2019-22
Carterton District Council	
Greater Wellington Regional Council	
Hutt City Council	
Kapiti Coast District Council	

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 responsible party should also ensure that a process is in place for the drafting, and subsequent signing, of the following triennium's agreement.