

9. TRIENNIAL AGREEMENT BETWEEN LOCAL AUTHORITIES IN THE CANTERBURY REGION

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PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval of the triennial agreement currently in force between local authorities in the Canterbury region (attached).

EXECUTIVE SUMMARY

2. Section 15 of the Local Government Act 2002 requires all local authorities within a region to enter into an agreement containing protocols for communication and co-ordination among them during the period until the next triennial general election.
3. The agreement must be entered into no later than 1 March 2008.
4. The Local Authorities in the Canterbury region agreed to use the Canterbury Mayoral Forum for discussions on the terms of their triennial agreement.
5. At its meeting on 24 February 2005 the Christchurch City Council agreed to execute, along with the other local authorities within the Canterbury region, the current triennial agreement. This was after the document was reviewed by the Canterbury Mayoral Forum.
6. After 1 March 2008, but before the next triennial general election, all parties to the agreement may meet and agree to amendments to the protocols. An agreement remains in force until replaced by another one.
7. The Canterbury Mayoral Forum met in December 2007. Members agreed the terms of the triennial agreement should remain unchanged.

FINANCIAL IMPLICATIONS

8. There are no financial implications for the participating councils. The triennial agreement contains protocols for communication and co-ordination among them.

LEGAL CONSIDERATIONS

9. Section 15 of the Local Government Act 2002 states as follows:
 - (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.*
10. It is recommended that the Council agrees to enter into the triennial agreement on the same terms as those contained in the current document.
11. After 1 March 2008, but before the next triennial general election, the parties may agree to amend those terms.

CONSULTATION FULFILMENT

12. There has been no indication so far that any of the parties to the triennial agreement wish to make amendments to it. However, if amendments are sought then a meeting will need to be arranged for these to be discussed and agreement reached.

STAFF RECOMMENDATION

It is recommended that the Council resolve to agree to enter into a triennial agreement with the other local authorities in the Canterbury region on the same terms that are contained in the current triennial agreement.

BACKGROUND (THE ISSUES)

13. The first triennial agreement was entered into by local authorities within the Canterbury region in late 2003. The document reflected discussions held by the Canterbury Mayoral Forum and was based on advice provided by Local Government New Zealand. It was the view of the participating councils at the time that the agreement be a simple and straightforward document that did not aim to break new ground.
14. The local authorities that have entered into the triennial agreement are committed to keeping each other informed about matters which may have cross-boundary implications or which could potentially lead to disagreement between them. It also defines the process to be followed should the Canterbury Regional Council consider proposals for undertaking new activities. Local authorities are not prevented from entering into other agreements amongst themselves or outside their region to facilitate their responsibilities.
15. The current triennial agreement was reviewed by the Canterbury Mayoral Forum at a meeting in December 2007. The forum agreed that the terms of the document should remain unchanged.
16. In order to comply with the provisions of Section 15 of the Local Government Act 2002 the Council should decide to enter into the triennial agreement on the same terms that are contained in the current document.