23. 6. 2011

7. TRIENNIAL AGREEMENT BETWEEN LOCAL AUTHORITIES IN THE CANTERBURY REGION

General Manager responsible:	General Manager Regulation and Democracy Services
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PURPOSE OF REPORT

1. The purpose of this report is to put before the Council for consideration the triennial agreement currently in force between local authorities in the Canterbury region (**Attachment 1**). Also attached is the Canterbury Mayoral Forum Charter of Purpose (**Attachment 2**).

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 2011.

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 28 February 2008 the Christchurch City Council agreed to enter into the current triennial agreement. This was after the document was reviewed by the Canterbury Mayoral Forum.

6. After 1 March 2011, 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.

FINANCIAL IMPLICATIONS

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

LEGAL CONSIDERATIONS

8. 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.*

CONSULTATION FULFILMENT

9. 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.

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STAFF RECOMMENDATION

1. It is recommended that the Council consider the terms of the current triennial agreement with the other local authorities in the Canterbury region and the contents of any resolution that Councillors wish to make.

2. If the Council is satisfied with the attached triennial agreement that it adopt it as the 2010–13 triennial agreement and advise the other local authorities accordingly.

BACKGROUND (THE ISSUES)

10. 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.

11. 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.

12. 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.

13. 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 before 1 March 2011.