

Triennial Agreement for the Manawatū-Whanganui Region 2022-25

Purpose

The signatories are committed to working together to promote the social, economic, environmental, and cultural wellbeing of their communities—in accordance with principles of sustainable management for current and future generations, and of the Treaty of Waitangi.

The purpose of this Triennial Agreement (the Agreement) is to ensure appropriate communication, coordination and collaboration between local authorities within the Manawatū-Whanganui Region.

This Agreement is established under section 15 of the Local Government Act 2002 (LGA). It is effective until such time as it is either amended by the agreement of all parties or is renewed following the 2025 local authority elections (and no later than 1 March 2026).

Parties

The signatories to this agreement comprise *principal signatories* (those local authorities whose boundaries are completely or primarily encompassed within the Manawatū-Whanganui Region and who primarily identify with that region) and *non-primary signatories* (those local authorities whose boundaries bisect the Manawatū-Whanganui Region but whose principal identification is with another region).

Principal Signatories:

- Manawatū-Whanganui Regional Council (Horizons)
- Horowhenua District Council
- Manawatū District Council
- Palmerston North City Council
- Rangitīkei District Council
- Ruapehu District Council
- Tararua District Council
- Whanganui District Council

Non-primary Signatories:

- Taupō District Council
- Waitomo District Council
- Stratford District Council

This Agreement is binding on all local authorities of the Manawatū-Whanganui Region. It is recognised that non-primary signatories retain discretion over the extent of their involvement, in proportion to the extent to which issues and decisions under consideration affect them.

Working Together

This Agreement focuses on responding to issues and opportunities facing our communities and local environment. The parties agree to work together in good faith for the good governance and sustainable development of their local areas and the region as a whole.

Signatories to this Agreement recognise that obligations to the Treaty of Waitangi, and to provide opportunities for Māori to contribute to local decision-making, extend to regional cooperation and joint decision-making. Central Government, too, has overlapping but distinct priority areas. The parties will seek to collaborate on matters of shared interest.

The wellbeing of our communities and health of our environment are best served by local authorities working together. We face increasingly complex governance issues, many of which cannot be resolved by any one organisation acting alone. Cooperation is necessary to tackle challenges such as:

- Delivering better social outcomes for communities, through affordable housing, well-functioning urban environments, infrastructure, and transport links;
- Improving the resilience of our environment and communities to the effects of climate change;
- Improving the health of our ecosystems and waterways;
- Supporting the development of a vibrant, sustainable regional economy.

The parties value and will maintain open communication, collaboration and trust, applying a ‘no surprises’ policy by ensuring other parties receive early notification of significant proposals that may affect them and their communities, and of divergent views on proposed decisions before critical public announcements are made.

Collaboration and cooperation between local authorities can yield administrative efficiencies, allowing for better use of available resources and more effective community participation. The parties undertake to work together toward common priorities and community outcomes, and making efficient use of resources, in accordance with LGA s14(1)(e).

While collaboration and cooperation are desirable, the region’s communities and landscapes are diverse, and each local authority has the legislative mandate to govern its own area as appropriate.

Governance

The primary mechanism to implement this Agreement is the Manawatū-Whanganui Mayoral Forum (the Mayoral Forum), comprised of the region’s Mayors and the Chair of Horizons Regional Council. The Forum will meet quarterly and operate in accordance with its agreed terms of reference, which are attached at Appendix One.

The Manawatū-Whanganui Mayoral Forum will:

- Provide governance oversight of our response to regionally significant challenges;
- Promote understanding and alignment of effort across councils, with central government, and with tangata whenua;
- Advocate for the interests of the region, its councils and communities.

The Mayoral Forum will be supported by the Manawatū-Whanganui Chief Executives Forum. The Chief Executives Forum will:

- Identify and escalate to the Mayoral Forum strategic issues and opportunities for collaboration;
- Report to the Mayoral Forum on the delivery of its agreed actions, work programmes or collaborative projects.

Other groups will support regional coordination:

- The Climate Action Joint Committee is to continue. Terms of Reference are attached at Appendix Two.
- Regional Transport Committee is to continue, as required by s105(2) of the Land Transport Management Act 2003.
- For the avoidance of doubt, Manawatū-Whanganui Civil Defence and Emergency Management Group will continue, as required by s12 of the Civil Defence Emergency Management Act 2002.
- The Accelerate 25 Lead Team will continue to progress regional economic development.
- The Regional Leadership Group, convened by the Ministry for Social Development, will bring together senior officials from central and local government, tangata whenua, and other community groups with a focus on social wellbeing, health, and education.

These arrangements complement other mechanisms for inter-council collaboration, such as Local Government New Zealand, Taituarā, the Association of Local Government Information Management, the Institute of Public Works Engineering Australasia, the Local Authorities Public Relations Network, and the Manawatū-Whanganui Local Area Shared Services CCO (MWLASS).

Recognition of Resolutions by Joint Committees

Within the parameters set through legislation – and acknowledging each local authority's mandate to govern in its own area – the parties agree to:

- Have particular regard to resolutions made by joint committees in developing policies, determining priorities, and allocating resource;
- Progress to the fullest possible extent actions identified through joint planning and decision-making arrangements.

Servicing and Support

Horizons will host a permanent secretariat to support the Manawatū-Whanganui Mayoral Forum. The secretariat will be funded jointly by participating councils.

Significant New Activities

When a party is considering a major policy initiative or proposal that may have implications for other parties, and unless such disclosure is inconsistent with the Local Government Official Information and Meetings Act 1987 or commercial confidences precludes such disclosure, they will give early notification to the affected parties and share the information with the Mayoral Forum and the Chief Executives Forum.

Horizons Regional Council will provide early advice to the Chief Executives Forum and the Mayoral Forum of any significant new regional council activity, in addition to other requirements specified in LGA s16.

Significant Facilities and Services

The Mayoral Forum and Chief Executives Forum may from time to time explore options for identifying, delivering and funding facilities and services of significance to more than one district. Any Party to this Agreement may raise these issues for consideration.

Consultation in Relation to Resource Management Act 1991 (RMA) Policy and Plans

The following consultation process will apply to the preparation of a new, or change, variation, or review of an existing, regional policy statement, regional plan or district plan by a local authority in the Region:

- The Regional Council will seek the input of territorial authorities, and vice-versa, for the preparation or review of the regional policy statement, or regional or district plan.
- For the regional policy statement or a regional plan, the Regional Council will make the draft version available to all territorial authorities in the Region for discussion and development.
- The parties to this Agreement acknowledge their obligation to act in accordance with the principles of consultation set out in LGA s82.

In addition, the parties agree to cooperate in implementing national policy statements, to ensure alignment of regional and district policies and plans, as well as efficiency of process. The parties undertake to report, through Chief Executives, to the Mayoral Forum on opportunities to share information, jointly commission advice, or otherwise pool effort in order to give effect to national direction within appropriate timeframes and in a practicable way.

Other Agreements

This Agreement does not prevent the Parties from entering into other agreements among themselves or outside the Manawatū-Whanganui region. Any other such agreement should not, however, be contrary to this Agreement.

Resolving Disagreement

All parties to this Agreement are committed to working strenuously, in good faith, to resolve any disagreements that may arise in relation to its application. Where a party has a significant

disagreement with the position of the others, all parties will make every effort to accommodate, acknowledge or at least fairly represent the dissenting view.

In the event of a disagreement over the actions taken to give effect to this Agreement that cannot be successfully resolved by affected parties, the parties agree to refer the issue of disagreement to mediation. Should agreement on a mediator not be possible, a mediator will be appointed by the president of the Manawatū Branch of the Law Society. If mediation is unsuccessful, any of the local authorities affected may ask the Minister of Local Government to make a binding decision on the proposal. The cost of mediation will be met equally by the parties that have agreed to the mediation.

Agreement to Review

This Agreement remains in force until local authorities ratify a new agreement.

Any party may request an amendment to this Agreement by writing to the Chair of the Mayoral Forum at least two weeks before a regular quarterly meeting of the Forum. The Mayoral Forum will review the Agreement no later than the final meeting before triennial local body elections and recommend any changes to the incoming councils.

Any agreed amendment will be referred to each local authority for ratification. No amendment to this Agreement has effect until signed by all parties.

Statutory Requirements

This document is deemed to duly constitute fulfilment of section 14(1)(e), 15 and 16 of the LGA, and Schedule 1 Clause 3A(1) of the RMA.

Authority

This Agreement is signed by the following on behalf of their respective authorities.

Appendix One

Manawatū-Whanganui Mayoral Forum

Terms of Reference

Statement of Purpose

The purpose of the Manawatū-Whanganui Mayoral Forum is to support effective leadership on shared priorities and matters of importance to the region's communities.

~~It is a joint committee, established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.~~

Objectives

The Manawatū-Whanganui Mayoral Forum has the following objectives:

- To enable Manawatū-Whanganui councils to work more collaboratively in response to regionally significant challenges and opportunities;
- To provide a forum for engagement between councils, central government, tangata whenua, and other leaders in the region;
- To explore, with iwi and hapū, how governance relationships might be further progressed in future;
- To provide a collective voice to advocate for and raise the profile of these issues and opportunities;
- To increase the effectiveness of local government in meeting the needs of Manawatū-Whanganui communities;
- To develop and implement programmes (including joint plans where appropriate), which are responsive to the needs and expectations of the community; and
- To prepare for institutional changes, such as joint planning arrangements, and oversee preliminary work to inform joint strategies and plans.

Principles

In pursuit of these objectives the Manawatū-Whanganui Mayoral Forum will observe the following principles:

- Establish and maintain close liaison with other local government networks to ensure as far as possible the pursuit of common objectives and the minimisation of duplication;
- Establish and maintain close liaison with Ministers of the Crown and local Members of Parliament;

- Recognise that obligations to the Treaty of Waitangi, and opportunities for Māori to contribute to local decision-making, extend to regional cooperation and joint decision-making;
- Work towards shared positions on issues of mutual concern, formalising these through letters of support, submissions and/or public statements as appropriate;
- Exercise its functions with due regard to the tangata whenua and cultural diversity of the community;
- Establish processes for reporting back to its respective councils and communities.

Powers

The Manawatū-Whanganui Mayoral Forum does not have the power to legally bind any council to any act or decision, unless that act or decision has been agreed to by decision of that council. Within that context, the parties agree to:

- Have particular regard to the recommendations of the Committee in developing policies, determining priorities, and allocating resource;
- Progress, to the fullest possible extent, actions identified through joint planning and decision-making arrangements.

The Manawatū-Whanganui Mayoral Forum shall have the power to:

- Make submissions and undertake advocacy to external organisations on matters germane to the Committee's objectives;
- Engage with key agencies and neighbouring regions on matters relating to the Committee's objectives;
- Recommend to the parties actions that materially contribute to attainment of the Committee's objectives;
- Receive any grant or subsidy;
- Receive financial contributions from member authorities, as may be mutually determined and acceptable to individual local authorities; and
- Determine and make payments from its funds for any or all of the purposes of its objects.

Council decisions on the Mayoral Forum's recommendations

Where a Council makes specific decisions on the Manawatū-Whanganui Mayoral Forum's recommendations, these will be reported to the Mayoral Forum. Where the decision is materially different from the Mayoral Forum's recommendation the report will set out the reasons for that decision.

Membership

Membership shall be open to the eight councils wholly or primarily within the Manawatū-Whanganui Region (Horowhenua District Council, Palmerston North City Council, Manawatū District Council, Rangitīkei District Council, Whanganui District Council, Ruapehu District Council, Tararua District Council, Manawatū-Whanganui Regional Council (Horizons)).

Each member council shall be represented by its Mayor (or Chair in the case of the Regional Council) and supported by its Chief Executive. On occasions where the Mayor or Chair cannot attend, a council may be represented by its Deputy Mayor or Chair.

The Mayoral Forum will have the power to co-opt other members on a permanent and/or issues basis.

Election of Chair

The Manawatū-Whanganui Mayoral Forum shall select a Chair and Deputy Chair at the first meeting immediately following the Triennial Elections. These appointments may be reviewed after a period of 18 months.

The Chair selected will preside at all meetings of the Mayoral Forum.

The Mayoral Forum may appoint spokespersons from its membership for issues being considered, in which case each member council agrees to refer all requests for information and documents to the duly appointed spokespersons.

Meetings

Meetings will be held quarterly at Regional House in Palmerston North, unless otherwise advised.

Special meetings may be called at the request of members.

The secretariat will prepare an agenda for Mayoral Forum meetings in consultation with the Chair and the Chief Executives Forum.

Agendas for meetings will be issued and minutes will be taken and circulated.

Approved minutes and approved final reports and papers will be made available via Horizons' website and a Microsoft Teams portal.

Quorum

The quorum will consist of four members (half the number of members including vacancies).

Meetings may be held in person or by other means (such as audiovisual link) as the Committee agrees and where permissible under New Zealand law and the standing orders of the parties.

Decision making

The practice of the Forum will be to determine issues before it by consensus.

If the consensus is to determine issues by voting, the determination shall be determined by a majority of votes of members attending the meeting.

Remuneration and expenses

Each party shall be responsible for remunerating its representative on the Committee.

Standing Orders

The Committee shall apply the standing orders of Manawatū-Whanganui Regional Council.

Duration of the Joint Committee

In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Manawatū-Whanganui Mayoral Forum is not deemed to be discharged following each triennial local government election.

Secretariat

The Manawatū-Whanganui Mayoral Forum will appoint Manawatū-Whanganui Regional Council to carry out the secretariat function on such terms and conditions as it shall decide for the discharge of duties, including the taking of minutes and the keeping of any books and accounts and attending to any other business of the forum.

Variations to this Agreement

Amendments to this agreement may be required from time to time. Changes will be approved by the parties, on the recommendation of the Mayoral Forum.

Appendix Two

Climate Action Joint Committee

Manawatū-Whanganui Region

Terms of Reference

Statement of Purpose

The purpose of the Climate Action Joint Committee is to support a coordinated response to climate change across the councils and communities of the Manawatū-Whanganui Region.

It is established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.

Objectives

The Climate Action Joint Committee's operating objectives are to:

- Collaborate on action to build organisational, community, and regional resilience in the face of climate change;
- Make use of available environmental, social, cultural and economic research, skills and capabilities to leverage opportunities and mitigate the impacts of climate change;
- Develop a climate action plan, including recommended actions for councils to contribute to mitigation of greenhouse gas emissions and to support community resilience to the effects of climate change
- Work collectively as a region to engage with Central Government, including any actions to deliver on responsibilities under the National Adaptation Plan and Emissions Reduction Plan, and to support a Just Transition for our region;
- Promote consistent and effective leadership, advocacy, communication and engagement on climate change issues to enable individual and collaborative action;
- Champion the integration of partner strategies, programmes, and plans and encourage partnerships with iwi and others in central and local government, health, education, youth, NGOs and business;
- Oversee implementation of agreed joint projects;
- Share climate change evidence and guidance to inform council work programmes and support explicit consideration of climate change impacts in decisions; and
- Monitor and report annually on implementation of the joint action plan.

Powers

The Climate Action Joint Committee does not have the power to legally bind any council to any act or decision, unless that act or decision has been agreed to by decision of that council. Within that context, the parties agree to:

- Have particular regard to the recommendations of the Committee in developing policies, determining priorities, and allocating resource;
- Progress, to the fullest possible extent, actions identified through joint planning and decision-making arrangements.

The Climate Action Joint Committee shall have the power to:

- Receive regular monitoring reports and presentations on the matters relevant to the Committee's objectives;
- Develop, adopt, and progress a joint climate action plan;
- Make of submissions and undertake advocacy to external organisations on matters germane to the Committee's objectives;
- Engage with key agencies and neighbouring regions on matters relating to the Committee's objectives;
- Recommend to the parties actions that materially contribute to attainment of the Committee's objectives;
- Receive any grant or subsidy;
- Receive financial contributions from member authorities, as may be mutually determined and acceptable to individual local authorities; and
- Determine and make payments from its funds for any or all of the purposes of its objects.

Council decisions on the Joint Committee's recommendations

Where a Council makes specific decisions on the Climate Action Joint Committee's recommendations, these will be reported to the Joint Committee by its delegate. Where the decision is materially different from the Joint Committee's recommendation the report will set out the reasons for that decision.

Committee Membership

The Committee consists of the following members:

- The Mayor/Chair or designated delegate of each local authority within the Manawatū-Whanganui Region (total 8 members); and
- Up to eight non-Councillor members, to represent the views of Tangata Whenua. These appointments will be made by Horizons on the recommendation of iwi leaders, taking into consideration their skills, attributes or knowledge that will assist the work of the Committee.

This Committee may invite advisers to attend relevant portions of the Committee's business.

Election of Co-Chairs

The committee will elect Co-Chairs by the system described in clause 25(4) Schedule 7 of the Local Government Act 2002.

The governance group will have two Co-Chairs:

- A Councillor member of the group, and
- A Tangata Whenua member of the group.

Each Co-Chair shall preside on an alternate basis. If a Co-Chair is absent from a meeting at which they are scheduled to be the presiding member, the other Co-Chair shall preside at the meeting.

Meetings

The Committee will sit at least twice each year.

Special meetings may be called at the request of members.

Agendas for meetings will be issued and minutes will be taken and circulated.

Approved minutes and approved final reports and papers will be made available via Horizons' website and a Microsoft Teams portal.

Quorum

The quorum will consist of:

- Half of the members if the number of members (including vacancies) is an even number; or
- A majority of members if the number of members (including vacancies) is an odd number.

Non-elected positions to which no appointment has been made are not considered to be vacancies for the purposes of forming a quorum.

Meetings may be held in person or by other means (such as audiovisual link) as the Committee agrees where permissible under New Zealand law and the standing orders of the parties.

Decision making

The practice of the Forum will be to determine issues before it by consensus.

If the consensus is to determine issues by voting, the determination shall be determined by a majority of votes of members attending the meeting.

Remuneration and Expenses

Each party shall be responsible for remunerating its representative on the Committee.

Tangata whenua members shall be eligible for compensation for Joint Committee activity including travel and attendance at meetings.

Standing Orders

The Committee shall apply the standing orders of Manawatū-Whanganui Regional Council.

Duration

In accordance with clause 30(7) of Schedule 6 of the Local Government Act 2002, the Climate Action Joint Committee is not to be discharged following each triennial local government election.

Variations to this Agreement

Amendments to this agreement may be made by resolution of the Manawatū-Whanganui Mayoral Forum, required from time to time. Changes will be approved by the parties, on the recommendation of the Climate Action Joint Committee.