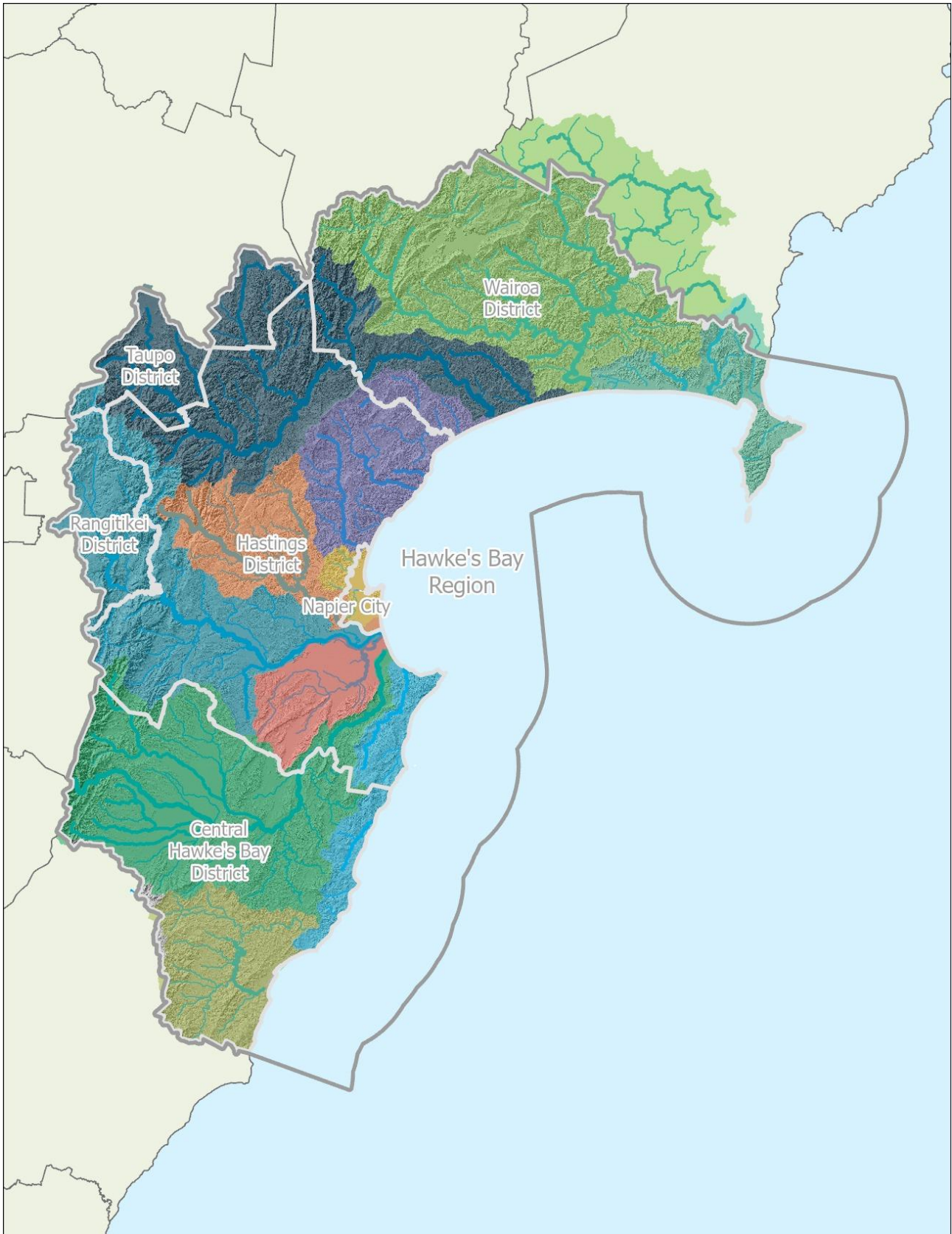


Hawke's Bay Region Triennial Agreement



for the Triennium October 2025 – 2028

Image shows regional, territorial and catchment boundaries and river network.

Contents

1. Parties.....	1
2. Purpose	1
3. Principles	2
4. Protocols for communication and coordination	3
5. Significant New Activities Proposed by Hawke's Bay Regional Council.....	4
6. Dispute Resolution	5
7. Revision of the Agreement.....	5
11. Parties - Signatures.....	6
Appendix One: Hawke's Bay Mayoral Forum – Terms of Reference	8
Appendix Two: Legislative Context	12

1. Parties

1.1 The parties to this Triennial Agreement (the Agreement) are:

Primary Parties (those local authorities whose boundaries are completely encompassed within the Hawke's Bay Region)

- Central Hawke's Bay District Council
- Hastings District Council
- Hawke's Bay Regional Council
- Napier City Council
- Wairoa District Council

Non-Primary Parties (those local authorities whose boundaries bisect the Hawke's Bay region and whose principal identification is with another region)

- Rangitikei District Council
- Taupo District Council

1.2 This Agreement applies to all local authorities in the Hawke's Bay region. However, it is recognised that for Non-Primary Parties the degree of involvement in various aspects of the Agreement will be in proportion to the degree to which these parties assess how they will benefit or be affected by decisions, issues, proposals or other matters.

2. Purpose

2.1 The Triennial Agreement provides the framework for local government in the Hawke's Bay region to:

- work collaboratively
- improve communication and coordination at all levels, and
- maximise effectiveness and efficiency

in order to meet the purposes of Local Government to:

- enable democratic local decision-making by and on behalf of communities
- promote the social, economic, environmental and cultural wellbeing of our communities in the present and for the future.

2.2 This agreement is deemed to duly constitute fulfilment of the requirements of section 15 of the Local Government Act 2002.

2.3 It should be noted that as well as the encouragement towards collaboration, the Local Government Act 2002 and other legislation recognises that regional councils and territorial authorities have different responsibilities. These differences provide an important context for collaboration between the councils. The requirements contained in legislation for collaboration between local authorities are contained in Appendix Two to this Agreement.

3. Principles

- 3.1 Parties to this Agreement agree to work together in good faith for the good governance of their local communities and the region; to develop our collective strategic capacity from available resources and achieve our strategies by working together, through co-design and partnership so every whānau and every household is actively engaged in growing a thriving Hawke's Bay economy to support inclusive and connected communities and sustainable and resilient environments.
- 3.2 In doing so, we:
- recognise and naturally implement obligations to the Treaty of Waitangi – Te Tiriti, and to provide opportunities for Māori to contribute to local decision-making
 - acknowledge that the communities within the region are diverse and encompass a range of desired outcomes and objectives
 - support the establishment of processes for communication and collaboration at both governance and management levels in ways that will enhance the overall performance and reputation of local government in the region
 - recognise that collaboration and co-operation between local authorities of the region can bring efficiencies in terms of planning, administration costs and decision-making and consultation. There is also the potential to increase available resources and promote co-operative approaches in making strategic choices
 - will investigate further opportunities for collaboration, co-operation, regional funding and shared services between local authorities of the region in addition to those prescribed by statute or already being undertaken
 - agree that collaborative or shared services opportunities may occur between two or more parties to this Agreement, but not in every case between all parties to this Agreement. Although collaboration and co-operation are outcomes that should be strived for, each local authority has the legislative mandate to govern their own area as appropriate
 - will make every effort to accommodate, acknowledge, or at least fairly represent the dissenting view where some parties to this Agreement have a significant disagreement with the position of other parties to the Agreement
 - will show leadership to ensure the implementation of this Agreement makes a positive difference for Hawke's Bay.

4. Protocols for communication and coordination

4.1 It is recognised that a significant level of formal and informal cooperation already exists between Hawke's Bay's local authorities. Further to this existing cooperation, parties to this Agreement will:

- Hold monthly meetings of the Mayors of the primary parties and the Regional Chair (aligned to the joint committee meetings as appropriate) to formally communicate and coordinate on matters of mutual interest, in accordance with the **Hawke's Bay Mayoral Forum** terms of reference in Appendix One.
- Invite the Chief Executives of the primary parties to attend every Mayoral Forum for a period of time.
- At the first meeting following the local body elections, elect a Chair of the Mayoral Forum from among the attendees. The Council whom the elected Chair represents will provide the administrative support for the Mayoral Forum for that triennium.
- Host **Regional Collaboration Days** at a frequency agreed between the parties to share information, experience and build regional cohesion.
- Attend **Matariki Governance Group** meetings scheduled by the Matariki Governance Group.
- Share resources where feasible for the purposes of preparing information on the various communities in the region. These resources may include information on demographics, survey data, scientific studies and the analysis of social, economic, environmental and cultural trends.
- Develop joint approaches to the development of annual and long term plans and, where appropriate, to engagement with Central Government, iwi governance bodies and tribal entities, national agencies and community organisations including consideration of establishing a Regional Office to advance common areas of interest.
- Provide early notification of, and participation in decisions that may affect other local authorities in the region.
- Make draft strategies, policies, and plans available to other local authorities in the region for discussion and development, where they may have regional implications or implications beyond the boundaries of the decision-making council.
- Apply a "*no surprises*" policy whereby early notice will be given over disagreements between local authorities concerning policy or programmes before the matter is put out to the public.
- Establish, as necessary, other forums including bi-lateral meetings, at both political and operational levels that will help enhance and achieve the purpose of this Agreement.
- Provide a process for initiating reviews of regional forums that are not working optimally in the view of one or more parties.

5. Significant New Activities Proposed by Hawke's Bay Regional Council

- 5.1 If the Regional Council or a Regional Council controlled organisation proposes to undertake a significant new activity, and these activities are already undertaken or proposed to be undertaken by one or more territorial authorities within the region, Section 16 of the Local Government Act applies.
- 5.2 However, in the spirit of this Agreement, the parties agree to an expanded consultation and communication process which includes discussion of the issues involved at the first available monthly meeting (see 4.1 above), and to provide drafts of proposals to affected Councils for early comment in accordance with the requirements of sections 77-87 of the Local Government Act (decision-making and consultation).
- 5.3 The parties also agree that prior to implementing the formal provisions of section 16¹:
- the Regional Council will inform all territorial authorities within the region of
 - the nature of the activity proposed to be undertaken
 - the scope of the proposal (including size, districts covered, and why); and
 - the reasons for the proposal.
 - territorial authorities will be given a reasonable period of time to respond to any such proposal. The Regional Council agrees to fully consider any submissions and representations on the proposal made by territorial authorities within the region.

¹ Appendix Two

6. Dispute Resolution

- 6.1 In the event of a disagreement between the Councils as to the interpretation or implementation of this Agreement the Councils commit to working in good faith to resolve the disagreement. If agreement cannot be reached, then the matter in dispute will be referred to mediation.
- 6.2 If the Councils cannot agree on the appointment of a mediator, the President of the Hawke's Bay District Law Society will be requested to appoint the mediator. The costs of the mediation shall be borne by the Councils in equal shares.

7. Revision of the Agreement

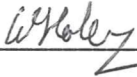
- 7.1 The Agreement is effective from the date of signing until such time as the Agreement is either amended by the agreement of all parties or is renewed following local authority elections (by 1 March 2029).
- 7.2 If a party to the Agreement requests a review of its terms within the triennium, such a review will begin within four weeks of the request being lodged. Otherwise the Agreement will be renewed following the local body elections as outlined above.
- 7.3 Hawke's Bay Regional Council will be the first Council responsible for servicing this Agreement.

11. Parties - Signatures

11.1 This Agreement is signed on this day 23 March 2026 by the following on behalf of their respective authorities.

PRIMARY PARTIES

Central Hawke's Bay District Council



Mayor Will Foley



Chief Executive Ross McLeod

Hastings District Council

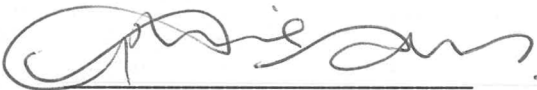


Mayor Wendy Schollum



Chief Executive Nigel Bickle

Hawke's Bay Regional Council



Chair Sophie Siers



Chief Executive Dr Nic Peet

Napier City Council



Mayor Richard McGrath



Chief Executive Louise Miller

Wairoa District Council




Mayor Craig Little



Chief Executive Matthew Lawson

NON-PRIMARY PARTIES

Rangitikei District Council




Mayor Andy Watson




Chief Executive Carol Gordon

Taupo District Council



Mayor John Funnell



Chief Executive Julie Gardyne

Appendix One: Hawke's Bay Mayoral Forum – Terms of Reference

1. Purpose

The Hawke's Bay Mayoral Forum provides collective leadership on issues that matter across the region. It exists to:

- Identify and progress shared regional priorities.
- Strengthen collaboration across Central Hawke's Bay District Council, Hastings District Council, Napier City Council, Wairoa District Council, and Hawke's Bay Regional Council.
- Coordinate regional advocacy to central government, iwi partners, and key sectors.
- Plan for, and oversee development of proposals to support, future arrangements for Hawke's Bay in response to government reforms.
- Support efficient, cost-effective delivery of regional functions, including joint services where appropriate.

The Forum does not replace the decision-making powers of any council.

2. Role and operating framework

The Forum provides the primary mechanism for giving effect to the Hawke's Bay Triennial Agreement - including its commitments to collaboration, communication and joint advocacy – and the work mandated by government reforms.

In practice, the Forum will:

1. Lead region-wide strategy, advocacy and joint positions on matters of common interest.
2. Identify, prioritise and coordinate regional work programmes, including shared services.
3. Oversee development of regional proposals and transition plans to align with government reform.
4. Strengthen relationships with iwi partners, central government agencies, neighbouring regions and key regional organisations.
5. Share information openly, uphold the “no surprises” principle and minimise duplication across councils and regional groups.
6. Ensure matters requiring formal decisions are referred back to each council through normal processes.

The Forum's operating arrangements will be adjusted to remain consistent as the Triennial Agreement is updated and as local government reforms progress.

3. Membership

Members

- Mayor of Hastings District
- Mayor of Napier City
- Mayor of Central Hawke's Bay District
- Mayor of Wairoa District
- Chair of Hawke's Bay Regional Council.

Supported by attendees

- All Chief Executives
- Secretariat support
- Invited observers (e.g. iwi/PSGE representatives, sector leaders, government agencies, or others relevant to the agenda)

Neighbouring council participation

To support regional linkages:

- When the Forum meets in Wairoa, representatives from Gisborne District Council / Tairāwhiti may be invited as observers.
- When the Forum meets in Waipawa, representatives from Tararua District Council may be invited as observers.

Chairing

- The Chair will rotate among councils on a yearly basis. The Chair is elected at the first meeting in the new calendar year.
- A Deputy Chair will also be appointed.
- If the Chair is absent, the Deputy Chair chairs the meeting.

Member Responsibilities

Members agree to:

- Act in the best interests of the Hawke's Bay region when sitting as the Forum.
- Keep their governing councils informed.
- Work in a "no surprises" manner with one another.
- Uphold the principles of Te Tiriti o Waitangi in alignment with each council's commitments.

Meetings

5.1 Frequency

- The Forum meets monthly.
- Additional meetings may be called by the Chair or at the request of at least two member councils.

5.2 Venue rotation

1. Wairoa
2. Napier
3. Hastings
4. Waipawa.

5.3 Agenda and papers

- The Forum secretariat prepares the agenda with the Chair and Chief Executives.
- Papers circulated at least five working days before the meeting.
- A short public summary may be prepared where appropriate.

5.4 Direction setting

- The Forum aims for consensus.
- Decisions of the Forum are not binding on any council unless formally adopted by that council.

6. Secretariat and support

- Initially supported by the [TBC - Hawke's Bay Regional Office].
- Responsible for:

- meeting administration
- agendas and minutes
- regional work programme coordination
- tracking progress and reporting
- managing shared services budgets and external funding

A Chief Executives' Forum will meet ahead of each Forum meeting to coordinate advice and prepare work for Mayors' consideration.

7. Shared Services Budget

The Forum will:

- Agree an annual shared services budget, levied across member councils by agreement.
- Receive grants, contributions or external funding (via the host agency for the Hawke's Bay Regional Office).
- Commission regional work or projects on behalf of the councils.

Any funding commitments must be approved through each council's financial processes.

8. Partnership with Iwi and Hapū

The Forum recognises the important role of mana whenua and tangata whenua.

Forum members will:

- Participate in the Matariki Governance Group which brings together the region's civic and iwi leadership to discuss matters of regional significance.
- Maintain ongoing dialogue with the Chairs of Ngāti Kahungunu and Post-Settlement Governance Entities, and leadership of Taiwhenua organisations.
- Invite iwi representatives to participate where matters of shared interest arise.
- Ensure Treaty partnership considerations are built into regional work programmes.

9. Conflicts of Interest

- Members must act with integrity and avoid situations where their personal or professional interests conflict with the Forum's objectives.
- Where a conflict (actual or perceived) arises, members must declare it at the start of the meeting.
- The Chair may request that a member withdraw from discussion or decision-making on that item if required.
- Declarations will be recorded in the meeting notes.

10. Local government reforms

To get the best arrangements for Hawke's Bay and to support a coordinated and cohesive response to local government reforms, the Forum is delegated by member councils to:

- Develop and recommend proposals that align with local government reforms.
- Provide joint regional positions and advice to central government on the best arrangements for regional functions in Hawke's Bay.
- Oversee preparatory work relating to regional shared services opportunities.
- Commission joint analysis and prepare regional proposals, noting that final decisions remain with each council.

These delegations allow the Forum to coordinate work efficiently; they do not transfer statutory decision-making powers.

11. Dispute Resolution

If disagreement arises:

1. Informal discussion

- Members will first seek to resolve the issue through discussion at the Forum.

2. Chief Executives' mediation

- If not resolved, the matter is referred to the Chief Executives' Forum to propose a way forward.

3. Independent facilitation

- If still unresolved, an independent facilitator may be appointed by agreement of the Chair and Deputy Chair.

4. Referral back to councils

- If no agreement is reached, each council retains the right to determine its own position through its normal decision-making processes.

The aim is to maintain constructive regional relationships while respecting council autonomy.

12. Transparency and public communication

- The Forum may release joint communications on regional issues.
- Public summaries of meetings may be provided.
- Individual councils may reference Forum discussions but should do so in a way that maintains trust and “no surprises”.

13. Review

These Terms of Reference will be reviewed:

- at the start of each triennium,
- or earlier if needed to reflect legislative changes, including establishment of the Combined Territories Board.

Appendix Two: Legislative Context

Local Government Act

Section 14 Principles relating to local authorities

- (1) in performing its role, a local authority must act in accordance with the following principles:
 - (e) a local authority should actively seek to collaborate and cooperate with other local authorities and bodies to improve the effectiveness and efficiency with which it achieves its identified priorities and desired outcomes.

Section 15 Triennial agreement

- (1) Not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement under this section covering the period until the next triennial general election of members.
- (2) An agreement under this section must include—
 - (a) protocols for communication and co-ordination among the local authorities; and
 - (b) a statement of the process by which the local authorities will comply with section 16 in respect of proposals for new regional council activities; and
 - (c) processes and protocols through which all local authorities can participate in identifying, delivering, and funding facilities and services of significance to more than 1 district.
- (3) An agreement under this section may also include—
 - (a) commitments by local authorities within the region to establish or continue 1 or more joint committees or other joint governance arrangements to give better effect to 1 or more of the matters referred to in subsection (2); and
 - (b) the matters to be included in the terms of reference for any such committees or arrangements, including any delegations.
- (4) An agreement under this section may be varied by agreement between all the local authorities within the region.
- (5) An agreement under this section remains in force until it is replaced by another agreement.
- (6) If a decision of a local authority is significantly inconsistent with, or is expected to have consequences that will be significantly inconsistent with, the agreement under this section that is currently in force within the region, the local authority must, when making the decision, clearly identify—
 - (a) the inconsistency; and
 - (b) the reasons for the inconsistency; and
 - (c) any intention of the local authority to seek an amendment to the agreement under subsection (4).
- (7) As soon as practicable after making any decision to which subsection (6) applies, the local authority must give to each of the other local authorities within the region notice of the decision and of the matters specified in that subsection.

LGA Section 16 Significant new activities proposed by regional council

- (1) This section applies if,—
 - (a) in the exercise of its powers under section 12(2), a regional council proposes to undertake a significant new activity; or
 - (b) a regional council-controlled organisation proposes to undertake a significant new activity; and
 - (c) in either case, 1 or more territorial authorities in the region of the regional council—
 - (i) are already undertaking the significant new activity; or
 - (ii) have notified their intention to do so in their long-term plans or their annual plans.
- (2) When this section applies, the regional council—
 - (a) must advise all the territorial authorities within its region and the Minister of the proposal and the reasons for it; and
 - (b) must include the proposal in the consultation document referred to in section 93A.
- (3) A proposal included in the consultation document referred to in section 93A must include—
 - (a) the reasons for the proposal; and
 - (b) the expected effects of the proposal on the activities of the territorial authorities within the region; and
 - (c) the objections raised by those territorial authorities, if any.
- (4) If, after complying with subsection (2), the regional council indicates that it intends to continue with the proposal, but agreement is not reached on the proposal among the regional council and all of the affected territorial authorities, either the regional council or 1 or more of the affected territorial authorities may submit the matter to mediation.
- (5) Mediation must be by a mediator or a mediation process—
 - (a) agreed to by the relevant local authorities; or
 - (b) in the absence of an agreement, as specified by the Minister.
- (6) If mediation is unsuccessful, either the regional council or 1 or more affected territorial authorities may ask the Minister to make a binding decision on the proposal.
- (7) Before making a binding decision, the Minister must—
 - (a) seek and consider the advice of the Commission; and
 - (b) consult with other Ministers whose responsibilities may be affected by the proposal.
- (8) This section does not apply to—
 - (a) a proposal by a regional council to establish, own, or operate a park for the benefit of its region; or
 - (b) a proposal to transfer responsibilities; or
 - (c) a proposal to transfer bylaw-making powers; or
 - (d) a reorganisation application under Schedule 3; or
 - (e) a proposal to undertake an activity or enter into an undertaking jointly with the Crown.
- (9) For the purposes of this section,—

affected territorial authority means a territorial authority—

 - (a) the district of which is wholly or partly in the region of a regional council; and
 - (b) that undertakes, or has notified in its long-term plan or annual plan its intention to undertake, the significant new activity

annual plan—

- (a) means a report adopted under section 223D of the Local Government Act 1974; and
- (b) includes such a report that section 281 applies to

new activity—

- (a) means an activity that, before the commencement of this section, a regional council was not authorised to undertake; but
- (b) does not include an activity authorised by or under an enactment

regional council-controlled organisation means a council-controlled organisation that is—

- (a) a company—
 - (i) in which equity securities carrying 50% or more of the voting rights at a meeting of the shareholders of the company are—
 - (A) held by 1 or more regional councils; or
 - (B) controlled, directly or indirectly, by 1 or more regional councils; or
 - (ii) in which 1 or more regional councils have the right, directly or indirectly, to appoint 50% or more of the directors of the company; or
- (b) an organisation in respect of which 1 or more regional councils have, whether or not jointly with other regional councils or persons,—
 - (i) control, directly or indirectly, of 50% or more of the votes at any meeting of the members or controlling body of the organisation; or
- (ii) the right, directly or indirectly, to appoint 50% or more of the trustees, directors, or managers (however described) of the organisation.