

Memorandum of Understanding between THE WAIHEKE LOCAL BOARD and AUCKLAND TRANSPORT

Background

1. This is a Memorandum of Understanding (MoU) between the Waiheke Local Board (the board) and Auckland Transport (AT).
2. It has been developed in the context of the 2017 Auckland Council governance review which resulted from recognition that the Auckland shared governance model is facing a range of issues that need to be addressed. Waiheke was recognized in the review as facing a set of unique challenges which might benefit from being treated differently. This resulted in the decision to undertake a three year trial to test the impacts and value of devolving more decision-making to the board.
3. In the spirit of the governance review and the devolution of more powers to the board, this MoU seeks to extend the boundaries of the working relationship between AT and the board. AT participated in the governance review and has been a supporter of this trial. Since the start of the trial the board and AT have been working to develop their relationship, progress projects and address a range of issues.
4. Recent surveys to provide a baseline of Waiheke community attitudes to Auckland Council and AT have shown that their reputation can be enhanced. AT and the board see this MoU as one tool to support change in the way transport matters are deliberated and in turn to help achieve positive recognition of AT's work for the Waiheke community.

Purpose

5. We have formally adopted this MoU as a public document which:
 - Formalises our working relationship
 - Sets out what we wish to achieve and how we will work together
 - Is the foundation for an enduring relationship and recognises that this is a journey
 - Commits us to working together to achieve agreed goals
6. We wish to have a positive working relationship and to understand each other's needs and constraints. We aim to deliver on the Waiheke community's aspirations and values for its transport network. Some of the challenges we face are:
 - A transport network, infrastructure and budgets intended for a small island population which doesn't take into account the significant visitor impacts and pressures Waiheke faces
 - An approach to transport planning, investment and delivery based on the Auckland-wide network approach. This doesn't necessarily recognise that Waiheke is different, that its community and landscape requires outcomes that fit the island's character and uses principles to deliver work that recognises these differences.

Outcome sought

7. We agree to use this MoU to assist us to work together to achieve transport outcomes that as far as possible meet our and the Waiheke community's needs.

Roles

8. We acknowledge that we have separate and specific duties, obligations and requirements under the Local Government (Auckland Council) Act 2010, as well as other relevant legislation, policy and financial instruments.
9. The local board is an elected body with decision-making over non-regulatory local matters and it is accountable to the Waiheke community. It has a local governance role and that complements AT's local operational and managerial roles, and its regional role. The intention will be for neither party to impinge on the other's role(s).
10. The board's priorities are set down in the Waiheke Local Board Plan which includes an advocacy role in relation to transport. Its role is informed by Essentially Waiheke, the island's strategic framework developed with the Waiheke community and adopted by the board. Essentially Waiheke contains clear aspirations for a transport network that fits the island's character and needs.
11. AT is responsible for transport matters on Waiheke as a regional council-controlled organisation and road controlling authority. Its Statement of Intent says AT will work closely with elected members and local boards to improve relationships and engagement, to give better effect to the role of key stakeholders in local place-making and to progress local board transport initiatives. Its Engagement Plan recognizes the integral role of local boards, the need to keep them well informed and involved in all relevant projects, and to interact in good faith.
12. This MoU doesn't change our responsibilities and recognising that these might be in conflict at times, it outlines an approach to addressing these conflicts.
13. We both have existing relationships outside of council that we value and need and the MoU provides additional support for us to assist each other with these relationships where mutually agreed.

Ways of Working

14. Waiheke has a particular character and its community has a particular vision for its transport network. We recognise that there are benefits in taking a Waiheke specific approach to transport matters and unless otherwise constrained as noted above, we support transport matters on Waiheke being managed in a way that best meets that community's needs.
15. While the board doesn't have decision-making over transport matters on Waiheke (with the exception of allocating its Transport Capital Fund budget), it understands the Waiheke community's needs and aspirations. AT recognises this and agrees to use its best endeavours to deliver on these provided they fit within its remit, have policy backing and can be funded.
16. We therefore commit to:
 - Being innovative and proactive in our relationship in recognition that this is key to progressing this MoU
 - Working together to address issues, advance projects and develop plans for Waiheke while accepting that we have different responsibilities which might make this challenging at times
 - Treating each-other with respect and using respectful language

- Releasing joint communications where this makes sense
- Sharing all information unless there is a legitimate reason to maintain confidentiality and not distributing confidential materials to third parties
- Working to develop trust
- Working in good faith to achieve outcomes
- Taking a no surprises approach to our relationship and keeping each-other informed
- Being open and honest in our interactions
- Being responsive timely and flexible
- Giving priority to overcoming issues and challenges

Implementation

17. AT agrees to work with the board to progress the following:

- Creating a local transport manager position to interact with the board and make transport decisions
- Investigating areas where AT functions might be delegated to the board eg street trading, certain landowner approvals
- Maintaining an up to date issues register accessible to both parties
- Development of a 10-year Transport Plan for Waiheke
- Development of transport design guidelines which reflect the island's character
- Developing and maintaining a rolling three year work programme
- Sharing annual infrastructure planning and maintenance documents
- Having accurate and regularly reported transport data
- Meeting and workshopping regularly and at least monthly
- AT including formal reports focusing on Waiheke transport matters on the board's business meeting agenda at least three monthly
- Jointly reporting to AT's Executive Leadership Team and Auckland Council's Joint Governance Working Party as appropriate
- Improving integration with council units with connecting roles eg Healthy Waters
- Advancing public transport on, to and from Waiheke in accordance with the provisions of the Regional Public Transport Plan

18. AT agrees to support the board in the following areas:

- Providing an active representative on the Waiheke Transport Forum and supporting the forum with timely accurate information as required.
- Advancing the Waiheke community's aspiration to be carbon neutral
- Electrifying the public transport network and infrastructure
- Lowering speeds on the island's roads
- Developing active transport infrastructure eg walking and cycling
- Delivery of Matiatia precinct transport solutions
- Improving the resilience of transport infrastructure to respond to more extreme weather events and the increase in traffic volumes
- Delivering on the transport outcomes outlined in Essentially Waiheke and the Waiheke Pathways Plan
- Ensuring stormwater projects use principles of water sensitive design
- Look for opportunities for pedestrian safety (e.g. crossings)
- Installing public art


Dispute Resolution

19. The parties agree to address issues that can't otherwise be resolved using the following process:
- The regular AT workshop agendas will include an issues item where either party can raise matters where efforts to resolve these have been unsuccessful
 - The parties will discuss and agree next steps, roles and a timeline to resolve these issues
 - Where an issue remains unresolved despite best efforts it will be escalated within either AT or Auckland Council to the appropriate management level
 - If this escalation fails to resolve the issue it will be formally escalated to the board chair and the AT CEO

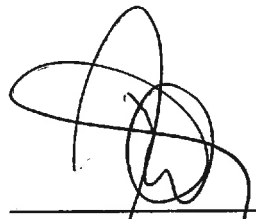
Review

20. This MoU will be actively reviewed within six months of the start of each board term and otherwise as agreed between the parties. Staff will work with the board to identify any areas where the MoU might be changed for consideration by the board and AT.
21. This MoU can only be extinguished with the agreement of both parties.

Signed by:



Cath Handley
Chair, Waiheke Local Board



Shane Ellison
Chief Executive, Auckland
Transport

23 May 2019