

Governance Framework Review

Local boards and Auckland
Transport

Contents

1	Executive summary	3
2	Introduction	4
	Scope	4
	Structure of this report.....	5
3	Context.....	5
	Legislative context.....	5
	Expectations of CCOs.....	5
	Allocated decision-making responsibilities	6
4	Issues.....	7
	Place-making outcomes	7
	Funding.....	10
	Auckland Transport engagement with local boards.....	11
5	Options for improvement.....	14
	Ways that local boards could influence transport decision-making	15
	Local Transport Capital Fund	21
	Relationships - consultation and engagement.....	24
6	Conclusion and recommendations	25
	Appendix A - Local Board Transport Capital Fund projects and funding sources	27

1 Executive summary

1. This report examines the nature of the relationship between Auckland Transport, a council-controlled organisation of Auckland Council, and Auckland's 21 local boards with regard to transport decision-making, funding and relationships, with a particular focus on place-making.
2. Place-making is a key part of the role of local boards: local boards have the most potential to add value where place is more significant than movement and local uniqueness is more valuable than regional consistency.
3. There appears to be a variable level of satisfaction amongst local boards with respect to their ability to shape place-making outcomes within the road corridor. Formal delegation of some transport decision making to local boards has been raised as a way to address this issue, but Auckland Transport is concerned about the legal and health and safety implications of any delegations that are more than quite minor and low-level. Having local boards making decisions, as governors, over largely operational matters could also be inefficient and is not consistent with their role.
4. The Local Board Transport Capital Fund (TCF) was established in 2012 to provide local boards with more direct ability to influence local transport projects. While we have not been able to systematically analyse the outcomes provided by it, the fund is valued by local board members and has delivered some good initiatives, and some people consider that it should be increased.
5. There are mixed views amongst board members on the quality and purpose of consultation: while some local board members feel there is genuine consultation, others feel that it can be late or tokenistic. There also appear to be different expectations of respective roles in consulting the public, and concerns about a lack of timely, high-quality information, and advice on the TCF.
6. We have considered options to empower local boards' place-shaping role and improve the relationship between local boards and Auckland Transport.

Place-shaping decision making

7. Delegating individual decisions, for example, on street furniture, could result in a series of operational decisions about specific issues being required of local boards, rather than the boards playing a governance role in local place-making. Rather, Auckland Transport should be more responsive to local boards in giving effect to their role as place-makers. Some particular examples include:
 - Auckland Transport taking direction from local boards on the 'look and feel' of changes to the streetscape, including providing options to boards where appropriate
 - Auckland Transport being more responsive to local board place-making initiatives, particularly where 'place' has been prioritised over 'movement'
 - Ensuring local board input into the Roads and Streets Framework is considered as it is a tool to resolve strategic network / place conflicts

Changes to the local board Transport Capital Fund (TCF)

- Recommending an increase in the quantum of the fund from the current inflation-adjusted \$11 million to \$20 million to be considered through the upcoming Long Term Plan
Implementing improvements to the way advice is provided to local boards on the TCF

Improvements to engagement and consultation

- Making more use of local board engagement plans
- Implementing more frequent monitoring of local board member satisfaction

2 Introduction

8. The purpose of this paper is to provide the Governance Framework Review Political Working Party (PWP) with options on allowing local boards to give effect to their role in place-making in regard to decisions of Auckland Transport, a council-controlled organisation of the Auckland Council. It looks at:
 - The respective roles of local boards and Auckland Transport
 - Place-making outcomes sought by local boards and how these are influenced by the decisions of Auckland Transport
 - Local transport funding
 - The relationships between Auckland Transport and local boards, and the engagement and consultation between the two
9. It draws on the Governance Framework Review report (GFR), as well as work carried out during the review of council-controlled organisations (CCOs) in 2015.

Scope

10. This piece of work is restricted to looking at options to improve the functioning of the relationship between Auckland Transport and the 21 local boards, recognising the statutory and non-statutory roles of both. A key part of this work is about enabling local boards to give effect to their responsibility for local place-making. While this is not a statutorily defined role, it is considered to be a key part of local boards' role in representing local communities and giving effect to local preferences.
11. This work does not touch on the fundamental structure or operation of Auckland Transport, its delivery of outcomes contained in its Statement of Intent or broader accountability to Auckland Council as its shareholder. The council is currently reviewing its accountability mechanisms across its six substantive CCOs.
12. This review has focused on Auckland Transport as the CCO with, by some measures, the largest degree of interaction with local boards, and a significant impact on place-making. Other CCOs will have an impact on local place-making, for example, Panuku.

Structure of this report

13. The next two sections of this report provide context and a summary of the issues in relation to the Auckland Transport and local board relationship, while Section 5 provides options for improvement.

3 Context

Legislative context

14. The role of local boards is set out in the Local Government (Auckland Council) Act 2009 (LGACA). Their purpose, as set out in the legislation, is to:
 - enable[e] democratic decision making by, and on behalf of, communities within the local board area; and
 - better enable[e] the purpose of local government to be given effect to within the local board area.
15. They have a shared or complementary role in the governance of Auckland alongside the governing body. In brief, local boards are responsible for a range of matters including:
 - Preparing a triennial local board plan that reflects the aspirations and priorities of the local community
 - Identifying and communicating the interests and preferences of the local community
 - Proposing bylaws to the governing body for its local board area
 - Agreeing the annual local board agreement with the governing body in respect of local activities.
16. Auckland Transport’s legislative purpose is “to contribute to an efficient, effective and safe Auckland land transport system in the public interest”.
17. As a substantive council-controlled organisation (CCO), it is primarily accountable to the governing body. It can be required by the governing body to include in “its statement of intent a narrative on how the organisation will contribute to the Council’s and, where appropriate, the Government’s objectives and priorities for Auckland”. It must also “give effect to the relevant aspects of the LTP”, and “must act consistently with the relevant aspects of any other plan (including a local board plan) or strategy of the Council to the extent specified in writing by the governing body”.

Expectations of CCOs

18. In the ‘letter of expectations’ to Auckland Transport of December 2016, Mayor Phil Goff outlined Auckland Council’s expectation that:
 - There should be better, and earlier, engagement between Auckland Transport and the local boards
 - Auckland Transport should “*actively consider which of its decision-making powers it could delegate to local boards*”

- This should be done within constraints created by the regulatory environment, safety considerations, the needs of regional networks, and, where applicable, the role of the New Zealand Transport Agency (NZTA).

Allocated decision-making responsibilities

- Local boards have been allocated non-regulatory decision-making for local ‘place-shaping’ by the governing body: *“local place-shaping activities, including local leadership to create a local identity”*. The governing body has been allocated non-regulatory decision-making for regional place-shaping activities.
- Local boards have also been allocated responsibility for *“maintenance of the street environment and local centres, within parameters set by the governing body,”* and *“improvements to the local street environment and town centres excluding any improvements that are integral to a transformation programme for the centres prioritised for growth as set out in the Auckland Plan”*.
- “Place-making” is not a responsibility that is conferred explicitly in any legislation, but is considered to be a key part of the governance role of local boards. This is also conferred in part through their statutory role of communicating the views and preferences of local people.

What is place-making?

- Place-making is defined in the Auckland Plan as *“the process of planning, design and building places in an integrated way so that they are successful, attractive for the community and enduring. It requires consideration of the relationships between all the parts of a place and the way they work together rather than a focus on each part (e.g. building) in isolation from the whole area.”*
- The diagram below is from a reference document developed for local boards on community place-making and ways to promote it¹. It was commissioned by the community-led Place-making Champions Group whose membership included local board chairs.



Figure 1

¹ *Communities shaping their places: a good practice resource - 2015*. Prepared by Rachel Trotman, Weave Limited.

25. The document notes that place-making is not simply limited to the physical components of a place, but also extends to ‘activating’ local places through community events and ‘pop-up’ activities, how the community is engaged and enabled to provide leadership in local places, and ways to assist and incentivise place-making by communities. The intended outcome of place-making is to result in “the creation of quality public spaces that contribute to people’s health, happiness, and well-being”².
26. While town centres and the streetscape are a key environment in which place-making occurs, place-making is much broader than this. It also incorporates other public assets, including public open space, town squares, and community facilities and buildings e.g. libraries, community centres, swimming pools. Therefore, the ability to successfully ‘place-make’ is dependent on a range of actors.
27. Within the council family, multiple council departments and CCOs including Auckland Transport are responsible for actions that contribute to (or detract from) good place-making outcomes. The GFR report noted that “local boards have a place-making role but activities that drive place-making outcomes span local boards, the governing body and CCOs’ areas of responsibility”. It noted that this put pressure on boards to operate in an integration role, but noted that there is “no obvious solution to this other than to recognise the respective roles of the different parties, and focus on work practices that bring them together as appropriate”.

4 Issues

Place-making outcomes

28. There appears to be a variable level of satisfaction amongst local boards with respect to their ability to shape place-making outcomes within the road corridor. Some local boards feel they have been able to work well with Auckland Transport and to influence major decisions whereas others have provided examples of decisions that they consider to be poor place-making outcomes, usually a result of local place being traded off for movement, safety or minimising costs.
29. Some local boards feel that Auckland Transport focuses solely on the transport outcome it is seeking, and is not concerned about the wider outcomes of a decision. Auckland Transport has stated that it is committed to working closely with local boards to fulfil their place-making and community representation roles, and to tailor local delivery where possible.
30. A contributing factor is likely to be the tension between the decision-making allocation, which allocates a decision-making role to local boards over maintenance of and improvements to the local street environment and town centres³, and Auckland Transport’s statutory role to manage the whole transport network, including the road corridor (which extends from property boundary to property boundary). The decision-making allocation is qualified by the statement that ‘Auckland Transport has significant decision-making responsibilities within the street environment and town centres’.

² Project for public spaces, ‘What is place-making?’, retrieved from PPS.org/reference

³ This excludes transformation programmes for the centres prioritised for growth as set out in the Auckland Plan.

31. It is possible that at times, the tension between local boards and Auckland Transport may be impacted, in part, by Auckland Transport seeking to give effect to policy direction from the governing body to align with key plans and strategies such as the Auckland Plan and the Auckland Transport Parking Strategy⁴. For example, one of the expectations in Auckland Council's December 2016 'letter of expectations' is "aggressively pursuing strong growth in public transport use and active modes with refreshed targets, particularly through ensuring the new public transport network is successfully implemented with a strong customer focus". Auckland Transport have reflected this through a theme in their strategic direction to "Prioritise rapid, high frequency public transport"; implementing this may, at times, conflict with local priorities for town centres e.g. bus lanes along the length of arterial routes compromising parking spaces in town centres.
32. There are, however, possible opportunities to empower local boards' place-shaping and community representative roles through more influence over specific aspects of the road corridor. These are explored further in the 'options' section of the paper.

Roads and Streets Framework and Transport Design Manual

33. Streetscapes and street design can strongly influence local place-making outcomes. Auckland Transport is in the process of developing two separate documents to replace the current Auckland Transport Codes of Practice (ATCOP), the design guidelines and standards for road corridor management and design:
 - a Roads and Streets Framework (RSF) that sets out strategic directions for network management and road and street design by applying nine standard typologies, which each have varying emphases on 'place' versus 'movement';
 - a Transport Design Manual (TDM) that sets out technical standards for road design and construction, including the design and layout of the street environment.
34. Through these documents Auckland Transport intends to:
 - Balance strategic versus local needs and make more consistent decisions on network management and design;
 - Establish modal priority and resolve strategic network / place conflicts.
35. Auckland Transport has been engaging with local boards on the proposed RSF, and intends to finalise it in August. The application of the nine typologies in the RSF to all roads will determine the relative priority between modes, which will have a significant impact for road users. Auckland Transport intends to carry out increased consultation with local boards on the application of these typologies, likely in 2018.
36. The TDM is highly technical, and Auckland Transport does not intend to consult local boards on its content.
37. However, locally specific design guides are another mechanism for reflecting local character and place in transport decision-making. Auckland Transport developed a set of Waitakere Ranges Heritage Area urban design guidelines in 2015. These provide principles for road

⁴ The Auckland Transport Parking Strategy was endorsed by the council in 2015 with respect to its principles.

corridor design and management which acknowledge the specific character of the area, and help to meet the requirements of the Waitakere Ranges Heritage Act 2008.

38. The design guidelines cover issues such as the desired type of road surface, safety and speed management in ways that are appropriate in a rural context, including promoting traffic calming through natural means rather than built interventions. A large amount of feedback was provided by both the Waitakere Ranges Local Board and the local community in their development. Auckland Transport is considering developing a set of locally specific design guidelines for Waiheke Island and Great Barrier Island.

Auckland Transport's ability to make delegations

39. Under section 54 of the LGACA, Auckland Transport can delegate any of its responsibilities, functions or powers with some notable exceptions, such as the appointment of its chief executive. Delegations can be made to elected members, i.e. to one or more local boards, or to staff.
40. Some local boards have expressed interest in receiving delegations on place-making functions. The GFR report noted that some local boards have a view that 'Auckland Transport could be delegating some transport responsibilities to boards, particularly in relation to local transport and place-making in town centres'. However, even if there were delegations on transport decision-making, the GFR report notes that 'a key challenge...will of course be funding constraints, which would not be resolved by delegating decision-making'.
41. To date, Auckland Transport has not delegated any decision-making to local boards. Auckland Transport has expressed concerns about legal liability, particularly health and safety of the public, and the potential adverse impact on network operations if formal decision-making over local place-making is delegated to local boards. Under LGACA, delegations do not relieve Auckland Transport of its liability or legal responsibility, and therefore, the Board of Auckland Transport remains liable for any decisions that it delegates.
42. Delegations should spell out what powers are delegated and what powers are prohibited or excluded from the delegation. Delegations may be accompanied by budget (if there is budget attached to the decision) or they may not. They may be made subject to conditions, such as:
 - Meeting the requirements of existing legislation or bylaws, plan or policy
 - Decisions being made by formal resolution, and subject to a specified consultation process
 - Meeting set performance criteria (for example, safety standards)
 - Being confined to choices between options
 - Occurring within set budget or time period
43. Auckland Transport has delegated maintenance of street trees and gardens in the road corridor to Auckland Council staff, and there is an intention by Auckland Transport to delegate the maintenance of town centres and street environments following the expiry of the existing contracts in June 2018.

Funding

44. Transport activity in Auckland accounts for a large portion of Auckland Council's overall budget (~34% of operating spend and ~39% of capital expenditure in FY17). Aside from rate funding, Auckland Transport has several other sources of income, including passenger transport fares and parking charges, and NZTA subsidies.
45. The council and NZTA specify major priorities for use of the funding and levels of service against which Auckland Transport's performance is measured – such as passenger transport patronage numbers and travel time on freight roads.
46. Auckland Transport further prioritises the use of its funding within these parameters. It has developed a prioritisation calculator to do this, using criteria designed to deliver on Auckland Plan outcomes and optimise NZTA funding in line with legislation and NZTA policies. This calculator ranks projects and expenditure over a thirty year period and produces the baseline information for political decision-making for the Integrated Transport Programme (ITP), which aims to optimise the overall Auckland transport system in an integrated manner.
47. Most of the expenditure is focused on current areas of population density and growth, and many small projects fall outside the funding envelope, at least in the short to medium term, because they do not show sufficient benefits to justify investment relative to other priorities. This is consistent with the methodology used to prioritise NZTA spending in Auckland.
48. Auckland Transport provides some input to local board plans when they are developing their Local Board Plans, including feedback on how well any local projects a board is advocating for fit with the ITP, and therefore the likelihood of being funded.
49. While Auckland Transport's major capital prioritisation process does not take into account local board priorities for local transport outcomes or projects: the Local Board Transport Capital Fund (TCF) is intended to provide specifically for local board transport priorities.

Local Board Transport Capital Fund

50. In 2012 Auckland Council directed Auckland Transport to ring fence \$10 million per annum from its capital budget to establish a fund for local board transport priorities. The fund was implemented to address local board concerns that local board priorities were not being appropriately considered through the Regional Land Transport Plan (RLTP) and that there was a lack of transparency about what local projects were planned in local board areas.⁵
51. The objectives of this fund are to:
 - ensure locally important transport projects are given appropriate priority; and
 - provide local boards with more direct ability to influence local transport projects.
52. Projects must be deliverable, meet transport safety criteria and not compromise the network. The fund is allocated to local boards on the basis of population with an adjustment for the Waiheke and Great Barrier local boards. Auckland Transport retains the responsibility for delivering projects delivered through this funding and the budget remains with Auckland

⁵ *Allocation of Auckland Transport's capital funding to local board priorities*, Strategy and Finance Committee, 2 August 2012, p.76.

Transport; depreciation and consequential operating expenditure are also the responsibility of Auckland Transport, as is the core administration of the fund.

53. When the fund was established there was general support from local boards. Several local boards did however comment that the fund was a second best option, and that they would have instead preferred council and Auckland Transport providing for a greater local board role in determining local transport priorities and projects. Appendix A contains a list of some of the projects which have been developed using the fund provided by Auckland Transport.
54. When the governing body established the fund, it directed that the fund be reviewed prior to development of the 2015 LTP and RLTP (Resolution SF2012/118). The purpose of this review was to assess the efficacy and efficiency of the fund, and to consider whether any identified risks, such as the risk that the fund might replace better engagement with local boards on regional and local transport priorities, transpired.
55. It does not appear that this review took place. Auckland Transport has identified some issues with how this fund is implemented, and believes that improvements can be made to the fund and the way it is administered. These are further discussed in the section on options.

Auckland Transport engagement with local boards

What are the expectations?

56. Auckland Council has developed a Governance Manual for Substantive CCOs, which outlines the accountability framework for CCOs and brings together key policies and documents relating to CCO governance. The manual also sets out expectations for local board engagement plans, including early (annual) engagement between CCOs and local boards, and reporting⁶, and that CCOs will work under the ‘no surprises’ protocol, an expectation that elected members will be fully informed on all matters that are likely to attract significant public interest.
57. There is an expectation that local board engagement plans should be refreshed or updated annually to reflect the specific priorities of each local board. Importantly, the expectations around consultation with local boards requires substantive CCOs “*to give local boards an opportunity to influence or to respond to the following:*
 - *decisions affecting a local board’s governance role*
 - *decisions having a significant local impact (including mitigation measures)*
 - *decisions requiring a CCO to undertake community consultation (local or regional).*”
58. The manual also creates an expectation that consultation must be “*at a level appropriate to the scale of the issue*”, and for decisions requiring public consultation, the CCO should consult with local boards first, ahead of the public consultation. The consultation timetable should allow for adequate timing for local boards to provide feedback before public consultation begins.
59. The Auckland Transport Statement of Intent (SOI) contains a Key Performance Indicator in recognition of the importance of local board engagement. It uses the previous Elected

⁶ Governance Manual for Substantive CCOs, Auckland Council, December 2015, pg 51-54

Member Satisfaction Survey result as a benchmark which showed that only 55% of local board members were satisfied with the quality of Auckland Transport's reporting and 43% satisfied with consultation. The 2016 negotiations over the SOI resulted in the council increasing the targets significantly to 60% in 2016/17 and 70% in 2018/19.

What is happening currently?

60. Auckland Transport engages with local boards in a range of ways. The purpose and principles of this engagement are codified in Auckland Transport's generic local board engagement plan, along with significant detail on how engagement and reporting to boards will be carried out. For example, the plan commits Auckland Transport to engaging with local boards on the following principles:
 - Maintaining a relationship based on goodwill, collaborative partnership and mutual recognition and understanding of and respect for each other's roles and responsibilities
 - Timely, transparent and regular information sharing
 - Early and inclusive involvement in projects
 - Working collaboratively on public engagement activities, and maintaining a positive public profile for local boards
 - Speedy responsiveness in addressing concerns.
61. This plan has been in force for several years, and Auckland Transport considers it to be no longer fit for purpose on the grounds that it is too detailed and prescriptive. It intends to rewrite this plan shortly, as well as to refresh locally specific engagement plans.
62. Auckland Transport's principal engagement vehicle is the dedicated local board relationship team of twelve staff who report to local boards on a monthly basis and coordinate advice to the board. The Auckland Transport Board has recently assigned Board Director Mark Gilbert a portfolio responsibility for the strategic relationship with local boards.
63. The relationship managers:
 - inform local boards of the Auckland Transport work programme in the local board area annually
 - provide formal monthly reports to local boards and take part in workshop sessions on transport matters in the local board area
 - provide advice to boards on the feasibility of projects they may wish to progress using the funding available through the TCF.

Consultation

64. Auckland Transport tailors its consultation with local boards to the scale and significance of the issue, and consults with the community or 'affected parties' depending on the scale or impact of the project. For example, the design of a major town centre upgrade involves working closely with the local board and significant consultation with the community to reflect local community preferences.
65. For other, more minor, transport decisions, for example options for an intersection, Auckland Transport may consult with a local board or a member of the local board who holds the

relevant portfolio. Several significant relationship issues have been identified with Auckland Transport-local board engagement and consultation.

66. In general, there are mixed views amongst board members on the quality and purpose of consultation: some local board members feel that there is genuine consultation from Auckland Transport and that they are able to have their views heard, even if they do not agree with the ultimate decision. However, some board members feel that consultation by Auckland Transport can be late or tokenistic, for example when proposals are provided to local boards only a few days before public consultation is planned to begin.
67. Early annual engagement on forward work programmes has not always happened, for different reasons, which makes it difficult for local boards to identify priorities that they want to have input and engage on throughout the year, and may have contributed to poor consultation on specific transport projects.
68. Some local board members feel that the community holds them accountable for local transport decisions, when they have very little influence over them, and that sometimes they are being asked to 'front' to the community for decisions of Auckland Transport, including decisions made in line with policies endorsed by the governing body, which they may not support.
69. There appear, in some instances, to be different expectations of respective roles in consulting the public. Local boards have a statutory role to identify and communicate the interests and preferences of the people in their local board area in relation to the content of strategies, policies, plans and bylaws of Auckland Council. In some situations, Auckland Transport may expect the board to represent the community's views on a project in line with this statutory role.
70. On the other hand, local boards have asked Auckland Transport to consult with other groups, such as businesses, residents' associations or community groups, on the grounds that the board's views may not necessarily be representative of the community or other groups. This can make consultation time-consuming and complicated for Auckland Transport.
71. Finally, Auckland Transport considers that consultation with local boards on transport projects or priorities sometimes requires 'free and frank' discussion, for example, where plans are at an early stage and may not be ready for wider public consultation. On a couple of occasions, options have become public prematurely which can have negative impacts on public perception and trust between Auckland Transport and local boards.

Quality of information and advice provided to local boards

72. The GFR report noted that there are concerns among some local board members about the "lack of timely, high-quality information about local transport activity". It noted that local boards generally get all necessary information, but that reporting needs to be "better structured, more concise and more user friendly". In addition some Auckland Transport staff, particularly some technical experts, may not be well-prepared for providing advice in a political context nor fully appreciate the nature of political decision-making.
73. Auckland Council's Quality Advice Programme, which is a cross-council programme aimed at lifting the quality of advice to elected and appointed decision-makers, has been working

with Auckland Transport to develop an action plan to improve the quality of Auckland Transport's advice to local boards. This includes a particular focus on analysis and advice for the TCF (in light of the local board role as decision-maker) as well as other reports Auckland Transport provides to local boards. Auckland Transport has agreed that some of its staff will participate in the training programmes available to council staff under the Quality Advice Programme.

74. As part of this, Auckland Transport has begun work to develop criteria for each local board to use in assessing options. Nevertheless, there is a view among some local board members that they do not get sufficient advice from Auckland Transport to make good decisions about the appropriate use of the TCF. On the other hand, Auckland Transport feels that the process for consideration of TCF projects is ad hoc, and that providing advice on the large number of projects proposed by local boards stretches its capacity.
75. Auckland Transport's advice on TCF investment will focus on whether a project put forward by a local board is technically feasible, and whether it is realistic in light of the available funding from the TCF. Auckland Transport is wary of being perceived as trying to influence a local board decision, or of trying to get Auckland Transport priorities funded "through the back door" (especially those that will be funded within the next few years), and therefore limits advice to local boards to technical feasibility.

5 Options for improvement

76. We have considered options to empower local boards' place-shaping role, and to improve the relationship between local boards and Auckland Transport. These are made up of possible changes to:
 1. Local board influence over transport decisions that affect place-making
 2. Changes to the local Transport Capital Fund
 3. Improvements to engagement and consultation
77. Options have been assessed against the criteria agreed to by the Political Working Party:
 - Consistency with the statutory purpose of local government (s10 LGA)
 - Does the option contribute to improving role clarity between the two arms of governance, both internally and for the public?
 - Does the option provide for decision making at the appropriate level, as set out in s17 of the LGACA and reflect the subsidiarity principle?
 - Does the option provide for increased empowerment of local boards, especially in their place shaping role?
 - Does the option ensure accountability and incentives for political decisions?
 - What is the administrative feasibility of the option, including efficiency and feasibility of implementation?
 - Does the option contribute to improved community engagement with and better services for Aucklanders?

benefits and risks, and perform differently in terms of the criteria that have been agreed to by the working party.

82. There are a wide range of transport decisions which contribute to local place-making and for which a greater role for local boards in influencing decisions could be considered. These should be assessed in light of where local boards add the most value in enabling and giving effect to local place-making. The role of local boards in giving effect to local community aspiration appears to be most applicable in situations where place is more significant than movement and local uniqueness is more valuable than regional consistency. The corollary of this is that in locations where movement has been prioritised, local preferences should have less priority.
83. Areas where local boards have expressed interest in having more influence over decision-making are detailed in the table below. Developing this list has drawn on the GFR report, previous engagement with the local board chairs forum and engagement with Local Boards Services staff.

Table 1 – transport decisions

Area	Specific decisions
Capital investment	<ul style="list-style-type: none"> • Decisions about prioritisation of place-making capital • Prioritisation of minor capital investment, including traffic safety projects
Non-road parts of the road corridor	<ul style="list-style-type: none"> • Use of non-road parts of the road corridor (such as malls, plazas and beaches) for community gardens, public art, street furniture • Event permitting in the road corridor
Vegetation in the public realm	<ul style="list-style-type: none"> • Planting in berms
Regulatory decisions	<ul style="list-style-type: none"> • Parking restrictions • Traffic controls • Transit lanes
Physical infrastructure	<ul style="list-style-type: none"> • The selection of street furniture, and allocation of space • Minor traffic calming • Non-transport signage
Community development / education	<ul style="list-style-type: none"> • Community-facing programmes e.g. bike safety education in schools

84. Each of these categories of decision-making are discussed further below with regard to:
- Their suitability for delegation from Auckland Transport to local boards
 - Other ways that local place-making outcomes which are impacted by decisions of Auckland Transport might be improved

Capital investment

85. A broad delegation to local boards regarding the prioritisation of capital investment for place-making does not perform well in regard to the evaluation criteria; Auckland Transport's imperative is to manage its budget across the region in response to a number of different

and competing priorities, including growth and good asset management practices. However, options for changes to the TCF to give effect to local transport and place-making priorities have also been considered and are discussed in the next section.

86. An alternative option could be for Auckland Transport to delegate prioritisation for minor traffic safety projects beyond projects which it considers are a must for safety or efficiency reasons. Auckland Transport's current system of ranking projects sometimes results in multiple projects which are equally ranked in terms of priority. More discretion for local boards about which of these projects to progress would allow more reflection of local priorities for minor transport and safety improvements; it may result in different decisions than if Auckland Transport were making the decision.
87. These decisions occur on an annual basis; this would require additional advice for boards, and Auckland Transport considers that should local boards be provided with this delegation to recommend such projects, they would have to accept some accountability for these decisions.
88. In practice, a formal delegation to achieve this would be very difficult to design, as it would vary from year to year depending on the availability of funding, and the lack of specific conditions that could be put around it. It may be better to give effect to this through a commitment by Auckland Transport to give effect to local board direction on such projects, which could be reflected in each local board's engagement plan.
89. Auckland Transport's renewals programmes provide capital budget for the renewal of transport infrastructure to maintain levels of service. Auckland Transport has also committed to improving co-ordination between local place-making projects, such as town centre upgrades, and its renewals programmes. The renewals programme represents a significant amount of capital expenditure, and improving co-ordination with local place-making projects could have substantial benefits.

Use of non-road parts of the road corridor

90. Non-road parts of the road corridor can include plazas, local malls and the beach i.e. places that are not integral to movement but can often be a critical part of local places. There is often a desire to achieve local place-making outcomes through temporary e.g. community events, or more enduring uses.
91. Use of non-road parts of the road corridor for events involves applying for events permits and landowner consent. There could be a greater role for local boards in being notified of and granting landowner consent for such events. The Waiheke Island pilot project contains a proposal to pilot a delegation for the Waiheke Local Board on granting landowner consent for events in non-road parts of the road corridor as well as approving street trading licenses. This will be monitored and evaluated as part of the pilot project and, if successful, could be rolled out more widely.
92. There are also other possible uses for non-transport parts of the road corridor for more enduring community uses e.g. community gardens and public art installations. These sit squarely within the realm of place-making; they are about creating a unique sense of place and encouraging local communities to undertake activities which have community benefit. The pop-up Griffiths Garden in the central city is an example of a successful place-making

initiative which has made use of a site that would otherwise be vacant while the Aotea City Rail Link station is developed.

93. A broad delegation to local boards to make decisions on the use of non-road parts of the road corridor does not perform well against the criteria. While it is appropriate and desirable for local boards to encourage and promote repurposing under-used parts of the road corridor for community outcomes, they can, in theory, always be reclaimed for transport use. Therefore, projects need to be designed with an understanding of the practical implications of these activities, particularly in regard to possible future uses of that land, and the mitigation of any health and safety risks.
94. Until the land passes out of Auckland Transport's ownership, the ongoing obligation for its use and maintenance remains with Auckland Transport, which is unlikely to completely relinquish its decision-making role to manage these risks.
95. However, where local boards are promoting the use of non-transport parts of the road corridor for local place-making activities, Auckland Transport should be responsive to this, including reducing or removing barriers to community place-making initiatives. As part of this, Auckland Transport has committed to look at ways to reduce the costs of developing traffic management plans for community events.

Vegetation in the public realm

96. Roadside berm planting can contribute to different local communities, distinguish communities and provide some environmental benefits. However, they can also create risks around damage to utility services, reducing lines of sight and blurring the line between public and private land.
97. In the past there has been some disagreement and confusion about whether and what type of planting of berms is desirable. In an effort to respond to this, during late 2015 Auckland Transport consulted local boards on a set of permitted guidelines for berm planting which set standards for the height, size and type of vegetation on roadside berms. There was criticism from some local boards that these were inappropriately restrictive, and did not provide enough scope for local residents to plant berms that would improve amenity. To date, the guidelines have not been implemented.
98. A delegation to local boards of the ability to grant or decline requests for berm planting in line with Auckland Transport's permitted guidance is not consistent with the assessment criteria. This is an operational function that is more appropriately carried out by staff. However, we consider that Auckland Transport should reconsider the current berm planting guidelines, look to engage the local boards that are particularly interested in this to trial some more permissive guidelines.

Regulatory decisions in the road corridor

99. Delegation of regulatory decisions in the road corridor to local boards does not perform well against the criteria. These decisions are more clearly about movement rather than place, and decisions made in one local board area could have quite strong implications for how the wider network functions, and are also decisions where regional consistency is important.

Auckland Transport has been clear that it considers a consistent regional approach to these issues to be critical, and that it is not prepared to delegate these decisions.

100. However, this is not to say that local boards are not legitimately interested in these decisions. Decisions about parking and traffic can have strong impacts about how a town centre functions and how well the transport system contributes to or detracts from other economic, social and environmental outcomes.
101. For example, the presence or absence of car parking can impact on the convenience, economic viability, design and the overall 'look and feel' of a town centre (which is a key part of the local board's role). Auckland Transport's decision-making on parking rules and time limits is driven by its Parking Strategy, which has been agreed to by the governing body. This provides regional consistency for users, and mitigates the effects of changes in one part of the network on another. A delegation to local boards may undermine the regionally consistent approach it has tried to put in place.
102. Auckland Transport does have an internal requirement that local boards are consulted with on any 'regulatory changes in the road environment'. A focus on ensuring Auckland Transport identifies possible changes in advance, keeps local boards informed and consults with them appropriately may help to improve the relationship. This should include a particular focus on ensuring that Auckland Transport 'closes the loop' with local boards, and provides a rationale for why a particular option has been chosen.

Decisions about the physical street environment

103. There are a number of individual decisions within this category of decision-making, with each having different impacts on place over movement, and some being more important than others. Some notable examples include:
 - the selection of street furniture
 - minor traffic calming
 - maintenance standards
 - non-transport signage.

Street furniture

104. Street furniture tends to provide more for place-making through rest and amenity, more than movement. However, it does affect pedestrian movement along the footpath, and there are different capital and operating costs associated with different options. A delegation to local boards over decisions on street furniture does not perform that well against the criteria. While it would allow more expression of local character, it would require increased advisory capacity from Auckland Transport, and could result in a number of low-level, operational decisions being put to boards e.g. every time a new piece of street furniture was needed. This would increase the costs and time involved in decisions, and may detract from the more strategic decision-making aspects of the local board role.
105. However, the design of a streetscape in a town centre upgrade is something that has a demonstrable effect on place, and for which the local board should have a clear role in reflecting community preferences. Place-making needs to be integrated with movement; Auckland Transport and the local board both bring specific expertise and knowledge to the

table, but there are parts of the road corridor where local boards should have more discretion to create unique spaces that reflect local character.

106. Local boards should have a strong role in place-making and determining the 'look and feel' of town centres and streetscapes, including street furniture, which complements transport considerations, and is supported by appropriate advice and engagement from Auckland Transport. Rather than a delegation, Auckland Transport should work in partnership with the local board to reflect local preferences and allow the board to give effect to its governance role. This may be what is happening in some areas already.

Minor traffic calming

107. Some local board members have advocated for a delegation to make decisions on minor traffic calming. Similarly to regulatory decisions in the road corridor, this does not perform well against the criteria when considering a broad delegation. Transport expertise is likely to be more important than reflecting local preferences in such decisions, and Auckland Transport is unlikely to relinquish its decision-making over traffic calming solutions and the ability to prioritise investment and consider network effects.
108. However, local boards can and do play a role in identifying areas where there are traffic congestion or safety issues for consideration by Auckland Transport. Many local boards also make use of their TCF allocation to prioritise investment in areas that fall outside the current Auckland Transport funding envelope.

Maintenance

109. As discussed above, there is an intention by Auckland Transport to delegate the maintenance of town centres and street environments to Auckland Council following the expiry of the existing contracts in June 2018. This would have corresponding budget attached to it. While no decisions have been made on this yet, the maintenance contracts could be brought into the existing 'Project 17' or similar framework, which allows local boards to input to the outcomes and service levels provided through the contracts.

Roads and Streets Framework and Transport Design Manual

110. Auckland Transport should continue to engage with local boards on the Roads and Streets Framework and its application. This should be through an interactive workshop that allows local boards to input on the place and movement aspects of streets.
111. The Transport Design Manual reflects a set of reasonably detailed road specifications which cover the design and layout of roads. While the TDM, which is reasonably technical, may not be of much interest to some local boards, particularly those in well-established urban areas, it may be a way for others, including those in rural and island areas, to ensure that streetscapes reflect local character. This will involve issues that are relatively technical in nature.
112. Where appropriate and desired by a local board, Auckland Transport should also engage with local boards on the TDM. Auckland Transport has indicated that it intends to develop a TDM specific to the Gulf Islands. This is further discussed in the discussion document on the Waiheke Island pilot.

Community development and education

113. Auckland Transport allocates a portion of its budget to community-focused programmes annually. This includes, for example, programmes to improve pedestrian safety. This is an area where Auckland Transport could take annual direction from local boards on how these programmes are developed, and where and when they are developed.
114. This would mean that local boards are able to use their understanding of local communities to improve safety and transport outcomes within local communities. While this could be formalised through a delegation, it could also be codified in for example, the local board engagement plans. Auckland Transport considers that this is an area where local boards could play more of a role.

Local influence on transport decision-making: recommendation

115. Based on the above, we consider that the formal delegation of individual decisions, for example, on street furniture, could result in a series of operational decisions about specific issues being required of local boards, rather than the boards playing a governance role in local place-making, and that they are unlikely to improve place-making outcomes.
116. Rather, Auckland Transport should be more responsive to local boards in giving effect to their role as place-makers. Some particular examples include:
- Auckland Transport taking direction from local boards on the ‘look and feel’ of changes to the streetscape, including providing options to boards where appropriate
 - Auckland Transport being more responsive to local board place-making initiatives, particularly where ‘place’ has been prioritised over ‘movement’
 - Ensuring local board input into the Roads and Streets Framework is considered as it is a tool to resolve strategic network / place conflicts

Local Transport Capital Fund

117. Ring-fencing a local transport budget in the form of the local transport capital fund enables local boards to better give effect to their place-shaping role within the road corridor⁷, within parameters of being a transport capital project, safety and not compromising the network. Analysis of the way that the fund has been used has identified that:
- Use of the fund, and particularly local boards using their ability to accrue up to three years’ capital funding, has improved since the fund’s establishment.
 - Local boards value the fund as a way to deliver small local transport projects.
 - Auckland Transport believes that the fund is oversubscribed, and that local boards would likely be able to achieve greater local transport outcomes if the size of the fund were increased. It believes that the fund should be increased to \$20m per annum and:
 - that the new funding should be allocated to local boards on an even split, not on a population split, on the basis that transport infrastructure has high fixed costs, regardless of population;

⁷ A later amendment to the policy allowed the fund to be used on initiatives that are connected to the road corridor e.g. a extending a cycleway through a park that connects two existing cycleways.

- that additional new opex to cover the operating costs of managing the fund (including investigation and developing options for more complex projects) should also be included.
- Auckland Transport’s programme management of this fund is somewhat resource intensive and these costs have had to be absorbed through Auckland Transport’s operating budget;
- Auckland Transport’s processes for managing the fund, particularly in assisting local boards to identify potential projects and make decisions, are not as systematic as they could be. Auckland Transport believes that a better and more systematic work programme approach can be implemented to manage the fund more efficiently and provide better service to local boards.

118. We have not been able to systematically evaluate the extent to which the fund is creating better local transport outcomes, whether it is the optimum use of this capital expenditure, or whether any of the risks that were identified in the original report have occurred. It appears that the larger projects put forward by local boards which will have demonstrable benefits will tend to attract additional funding from Auckland Transport, and may in some cases also attract NZTA funding.
119. Any change to the level of funding would need to be decided through the Long Term Plan process; in this case, the role of the PWP would be to recommend whether or not the funding increase should be considered in the CCO budget proposals that are being developed up for the LTP.
120. In regard to the issues identified in relation to funding of local transport activity, three options have been developed. They are described in table 1.

Table 2 – options for changes to local transport funding

Option	Description
1. Enhanced status quo	This option involves recommending to the governing body that the Transport Capital Fund be included in the next LTP cycle at its current inflation-adjusted level (just over \$11 million per annum). Auckland Transport would improve its processes, bringing a more systematic and work-programme approach with better advice for local boards. This would enable Auckland Transport and boards to identify projects earlier in the triennium, allowing more streamlined scoping and decision-making processes and more efficient delivery.
2. Increase size of the fund + better process management	This option involves recommending that the fund be included in the next LTP cycle at an increased level. Auckland Transport believes that this level should be set at \$20 million. At least one local board has advocated for increasing the level

Option	Description
	of the fund to \$20 million as a priority action in its draft local board plan. ⁸ Improved processes as identified in Option 1 would also be implemented.
3. Full review of the purpose and operation of the fund	This option involves recommending that council and Auckland Transport undertake a first principles review of the fund, in line with the governing body's direction in 2012. It would evaluate current processes, costs and benefits, assess whether the fund is delivering improved local transport outcomes and value for money, and determine what is an appropriate level of funding to be considered for inclusion in the LTP. It would also look at whether the current allocation method is optimal, or whether a new method should be implemented.

121. Note that Option 3 – a full review of the fund – is not mutually exclusive to options 1 and 2. However, there may be limited time to complete a review of the fund in time to inform budget formation for the upcoming 2018-21 LTP.
122. These options have been assessed against the criteria agreed by the PWP. On balance the preferred option is Option 2, as it is most likely to lead to greater empowerment of local boards in their place-shaping role, and Auckland Transport is also supportive of increasing the level of funding. However, it should be noted that increasing the size of the fund will mean that funding is shifted away from regional priorities, given the constrained funding environment.
123. We also recommend that consideration be given to a full review of the fund (Option 3) to consider whether it is meeting its objectives, whether the current allocation method is optimum, and to determine the optimum level of funding.
124. We consider it is unlikely that the allocation method will be considered through the LTP, and that therefore any new funding is likely to be allocated through the same mechanism as current funding.

Links with other workstreams in the GFR

125. It should be noted that the 'funding and financing' workstream within this project is looking at a broad spectrum of options for changes to the Asset Based Services (ABS) funding, which amounts to approximately 90 per cent of the budget local boards receive for local activities and services. The intent is to provide options for a funding policy which would provide more flexibility and control for local boards over the ABS budget whilst ensuring appropriate accountability. If these options were to be progressed, in theory, local boards would have more discretion over their Asset Based Services budget, and could use it to progress place-making activities.

⁸ *Otara-Papatoetoe Draft Local Board Plan 2017-2020*, <http://www.shapeauckland.co.nz/media/1893/draft-otara-papatoetoe-local-board-plan-2017-consultation-document.pdf>, p.29.

Relationships - consultation and engagement

126. While Auckland Transport's engagement with local boards has improved since amalgamation, and it does recognise the role that local boards have to play in reflecting local preferences and giving effect to place-making functions, there is still significant room for improvement in ensuring that genuine, early and consistent engagement happens. A focus on transparency, ensuring a 'no surprises' approach and making sure that the loop is closed is particularly important.
127. There are clear expectations for Auckland Transport to engage with local boards, but it appears that this has not been consistently monitored outside the Elected Member Satisfaction Survey which occurs every 18 months.
128. Auckland Transport's consultation with local boards is likely to add the most value when it occurs at an early stage, before preferred options are set. This is because:
- It provides an opportunity to offer genuine input on a full spectrum of options, rather than once they have been narrowed down or further explored by Auckland Transport, at which point it is often prohibitively expensive to change them, and any goodwill is gone.
 - Local boards can identify other issues or options which may not have been identified by Auckland Transport.
 - Local boards may be able to identify ways to leverage off Auckland Transport projects to make use of their own Transport Capital Fund allocation.
129. A genuine effort to consult and consider the views of local boards could go some way to improving relationships between Auckland Transport and local boards. However, this does not necessarily mean that Auckland Transport will always be able to give effect to local boards' views.
130. The following options have been identified to contribute towards more consistent and better engagement between Auckland Transport and local boards:

Table 3 – options for changes to relationships and engagement

Option	Description
1. Status quo	Continue the current efforts within the Quality Advice programme to improve the quality of Auckland Transport reporting and advice to local boards, including reflecting local board views in reports.
2. Enhanced status quo	<p>In addition to the status quo, this option would also include a focus on Auckland Transport improving local board engagement plans through:</p> <ul style="list-style-type: none"> • Highlighting local board priorities. • How both parties will work together to achieve these. • Including more tangible detail on how local boards will give effect to local place-making. <p>This would include local boards signing off on the engagement</p>

Option	Description
	plan.
3. Enhanced monitoring of the quality of engagement and advice	<p>In addition to the enhanced status quo, this option would involve more frequent monitoring of the quality of Auckland Transport's engagement and consultation with local boards. This could be done through more frequent 'pulse' surveys between the full Elected Member Satisfaction Survey (which targeted more specific local key performance indicators). This would require additional funding.</p> <p>If agreed to, this would need further development, but could cover Auckland Transport (or substantive CCO) engagement with local boards, on both strategic planning (i.e. the annual engagement and priority-setting process) and project-specific engagement, as well as advice on the TCF.</p> <p>Where there are significant issues with performance, this could be escalated through to the quarterly CCO performance and monitoring reports to the Finance and Performance Committee.</p>

131. Based on an assessment of these options against the criteria agreed to by the PWP, the preferred option is option 3. This is because more frequent data on the quality and level of consultation and advice from Auckland Transport would provide a basis for further improvements if needed, and it also provides an incentive for Auckland Transport to improve advice.
132. In turn, local boards need to respect the role of Auckland Transport, its imperatives, the provision of 'free and frank' advice in a private setting, including early thinking, and avoid public criticism of Auckland Transport.

6 Conclusion and recommendations

133. We have considered options to empower local boards' place-shaping role and improve the relationship between local boards and Auckland Transport. Delegating individual decisions, for example, on street furniture, could result in a series of operational decisions about specific issues being required of local boards, rather than the boards playing a governance role in local place-making.
134. It is recommended that Auckland Transport should be directed to be more responsive to local boards in giving effect to their role as place-makers. Some particular examples include:
- Auckland Transport taking direction from local boards on the 'look and feel' of changes to the streetscape, including providing options

- Auckland Transport being more responsive to local board place-making initiatives, particularly where 'place' has been prioritised over 'movement'
- Ensuring local board input into the Roads and Streets Framework is considered, as it is a tool to resolve strategic network / place conflicts

135. In addition it is recommended that

- The local transport capital fund be increased from the quantum of the fund from the current inflation-adjusted \$11 million to \$20 million and that this be considered through the upcoming Long Term Plan
- Improvements to the way advice is provided to local boards on the TCF are implemented

136. With respect to improvements in consultation and engagement it is recommended that Auckland Transport and local boards:

- Make more use of local board engagement plans
- Implement more frequent monitoring of local board member satisfaction.

Appendix A - Local Board Transport Capital Fund projects and funding sources

Half Moon Bay Ferry facility (LBTCF \$2.3 + AT/NZTA \$3.6)

This project was a joint venture between the Howick Local Board, AT & NZTA, to provide a vastly improved customer experience for ferry passengers travelling to and from the Howick Local Board area.

Replacement pavers for Waiuku (LBTCF \$735K)

This is town centre upgrade being undertaken by the Franklin Local Board.

Wairau Stream Bridge (LBTCF \$900K + AC Parks \$2.1m)

This is a joint venture between the Devonport-Takapuna Local Board and AC Parks to provide a pedestrian bridge over the Wairau Stream, giving residents in this areas a much more direct route to transport and local amenities.

Mt Albert Station Bridge (LBTCF \$550K + NZTA \$550K)

This project provides a connection between the Mt Albert Rail Station and the town square the Albert-Eden Local Board are seeking to develop in the town centre.

Matakana pedestrian bridge (LBTCF \$150K + MCTT \$80K + AT \$370K)

This is a joint venture between the Rodney Local Board, the Matakana Coast Trails Trust and AT, to provide a pedestrian connection beside the Matakana road bridge.

Area wide traffic calming – 1.6 x sqkm (LBTCF \$750K)

The Albert-Eden Local Board developed two area wide traffic calmed areas between Dominion and Sandringham roads, either side of Balmoral Road. These areas radically improved residential amenity in these areas, with traffic speeds dropping between 15kph and 20kph to around 40kph.

Puhoi Pedestrian Bridge (LBTCF \$285K)

This Rodney Local Board project provides a pedestrian bridge across the Puhoi Stream.

Davies Avenue Streetscape upgrade (LBTCF \$1.0m)

This Otara-Papatoetoe Local Board project is a complete streetscape upgrade of Davies Avenue, the street that connects Manukau City Centre with Haymen Park.

Cover over pedestrian bridge to station (LBTCF \$1.0m)

This Manurewa Local Board project provides a cover over the walkway that leads from the rear of South Mall, across the rail tracks to the north going rail platform and bus station.

Future Streets – Streetscape/Cycle/Pedestrian facilities (LB/AT/NZTA \$10.4m)

This project is a joint venture between Mangere-Otahuhu Local Board, AT and NZTA to provide an enhanced streetscape and walking and cycling facilities in a formerly neglected part of Mangere.

Sandringham Road Extension cycling facilities (LBTCF \$900K, AT \$200K)

A kilometre-long cycling facility connecting existing cycle facilities and providing a safe off-road route to local schools and the Wesley Community Centre.

Total spend on above projects = \$32.8m of which \$10.27m came from LBTCF.

LBTCF spend forecast in 2016-17 financial year = \$17m

The Local Board Transport Capital Fund contribution to these projects has been tripled through the input of additional funds from Auckland Transport (Including NZTA subsidy). Therefore for quite a number of local boards there has been a very beneficial working relationship with Auckland Transport, with the value of the work they have delivered to their communities being substantially leveraged through this relationship.

While the fund took some time to really get up to steam (Much of 2013-16 term), it is now delivering valuable transport related outcomes for communities across Auckland.