

UPPER NORTH ISLAND STRATEGIC ALLIANCE AGREEMENT (UNISA)

Between

Auckland Council, Bay of Plenty Regional Council
Northland Regional Council, Waikato Regional Council
Hamilton City Council, Tauranga City Council
and
Whangarei District Council

2017 - 2019

Agreement dated 31 March 2017

- Between** The **AUCKLAND COUNCIL**, a council listed in Part 2 of Schedule 2 of the Local Government Act 2002
- And** The **BAY OF PLENTY REGIONAL COUNCIL**, a regional council listed in Part 1 of Schedule 2 of the Local Government Act 2002
- And** The **NORTHLAND REGIONAL COUNCIL**, a regional council listed in Part 1 of Schedule 2 of the Local Government Act 2002
- And** The **WAIKATO REGIONAL COUNCIL**, a regional council listed in Part 1 of Schedule 2 of the Local Government Act 2002 (also known as Environment Waikato)
- And** The **HAMILTON CITY COUNCIL**, a city council listed in Part 2 of Schedule 2 of the Local Government Act 2002
- And** The **TAURANGA CITY COUNCIL**, a city council listed in Part 2 of Schedule 2 of the Local Government Act 2002
- And** The **WHANGAREI DISTRICT COUNCIL**, a district council listed in Part 2 of Schedule 2 of the Local Government Act 2002

A. Purpose

1. This document is to establish a long-term collaboration between the Auckland Council (AC), Bay of Plenty Regional Council (BPRC), Northland Regional Council (NRC), Waikato Regional Council (WRC), Hamilton City Council (HCC), Tauranga City Council (TCC) and Whangarei District Council (WDC) for responding to and managing a range of interregional and inter-metropolitan issues including as agreed in the UNISA Action Plan.
2. While AC, BOPRC, NRC, WRC, HCC, TCC and WDC acknowledge that their respective aspirations will not always be compatible, there is merit for all parties in cooperating in areas of mutual benefit.

B. Parties

3. BOPRC, NRC and WRC are regional councils as defined by the Local Government Act 2002. HCC, and TCC are City Councils and WDC is a District Council as defined by the Local Government Act 2002. The activities undertaken by these six parties are defined in legislation with the main Statutes governing the way they conduct their business being the Local Government Act 2002, the Resource Management Act 1991, the Biosecurity Act 1993, the Land Transport Management Act 2003, the Local Government Official Information and Meetings Act (LGOIMA) 1987 and the Privacy Act 1993.
4. AC is a local authority as defined by the Local Government (Tamaki Makaurau Reorganisation) Act 2009, the Local Government (Auckland Council) Act 2009, the Local Government (Auckland Transitional Provisions) Act 2010, and the Local Government (Auckland Council) Amendment Act 2010. AC is a unitary authority as defined in Schedule 2 of the Local Government Act 2002 and therefore has the responsibilities, duties and powers of a territorial authority and a regional council.
5. All parties have a statutory obligation to evaluate, plan for and manage inter-regional and intermetropolitan issues as they affect other regions, cities and districts.

C. Legislative context

A principal role of Local Government in relation to economic development is to create conditions in which businesses can thrive. An important part of that is efficient administration of legislation. The principal statutes for Local Government are:

(i) Local Government Act 2002

6. The purpose of the Local Government Act 2002 includes providing for democratic and effective local government that recognises the diversity of New Zealand communities, and provide for local authorities to play a broad role in meeting the current and future needs of their communities for good quality local infrastructure, local public services, and performances of regulatory functions (Section 3(d)).
7. A principle of the Local Government Act 2002 is that “a local authority should collaborate and cooperate with other local authorities and bodies as it considers appropriate to promote or achieve its priorities and desired outcomes, and make efficient use of resources” (Section 14(e)).
8. A further principle of the Local Government Act 2002 includes “in taking a sustainable development approach, a local authority should take into account the social, economic, and cultural interests of people and communities; the need to maintain and enhance the quality of the environment; and the reasonably foreseeable needs of future generations” (Section 14(h))

(ii) Resource Management Act 1991

9. A function of regional councils under the Resource Management Act 1991 is the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region (Section 30(1)(a)). Integrated management would include integration across regional boundaries.
10. Regional councils also have the function of the strategic integration of infrastructure with land use through objectives, policies and methods (Section 30 (1)(gb)). This would include the integration of infrastructure and land use across regional boundaries.
11. A function of City Councils/District Councils under the Resource Management Act 1991 is the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district (Section 31 (1) (a)). This would include the integration of land use across the boundaries of territorial authorities.

(iii) Land Transport Management Act 2003

12. The purpose of the Land Transport Management Act 2003 is to contribute to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system (Section 3(1)). To support the purpose, this statute seeks an integrated approach to land transport funding and management (Section 3(2)(a)). The integrated approach would include integration across regional boundaries.

D. Objectives

13. The overall objective of this Agreement is to maximise sustainable development opportunities for all of the upper North Island and its contribution to New Zealand.
14. The parties agree to:
 - a) identify strategic opportunities, and to collaborate on joint initiatives, which will support social, economic, environmental and cultural wellbeing across the four regions;
 - b) recognise and utilise the strengths of each region for the greater good of the upper North Island and New Zealand as a whole;
 - c) help coordinate and encourage beneficial interrelationships and connections between economic activities/services across the four regions;
 - d) seek to avoid adverse cross boundary effects of decisions, planning and activities on other regions, cities and districts;
 - e) resolve differences and conflicts, and ensure no surprises, where activities in one region or city district may affect another;
 - f) share information, expertise, databases and research where there is a mutual interest and benefit;
 - g) keep each other informed of matters of mutual interest;
 - h) encourage integration and consistency of planning across the upper North Island;
 - i) develop agreed positions as appropriate on matters of national importance and major government initiatives, and to communicate these positions to central government and relevant national organisations;
 - j) investigate opportunities for achieving cost efficiencies by sharing responsibilities and services, such as through one-stop shops and centres of excellence.
 - k) Work with other parties, such as New Zealand Transport Agency, Auckland Transport and State Services Commission to achieve shared objectives.

E. Principles of the Agreement

15. The parties will work in good faith in a pragmatic, workable, collaborative relationship at the governance and management levels toward achievement of the Purpose and Objectives of this Agreement set out in section D.
16. The primary strategic and major issues are at the regional and metropolitan cities/district level.
17. The parties recognise the importance of an integrated and collaborative approach to regional and metropolitan governance in the upper North Island.
18. The parties recognise each council's right to make decisions for their region, city or district, and that these decisions may not always be in the interests of neighbouring regions.
19. Each party recognises that some of their activities may affect the interests of neighbouring regional councils, cities and districts, and in such cases, recognises the right for neighbouring councils to be informed and to express a view about these activities.
20. Each party recognises that the sharing of local government services can bring increased efficiencies in terms of planning, administration and consultation, resulting in better use of resources, greater mutual understanding, and improved consistency of approach.
21. Each party recognises that cooperation and shared positions can assist in local, regional and national governance and result in improved social, economic, cultural and environmental outcomes.
22. Each party will seek to communicate on matters of mutual interest in an open, honest, respectful and proactive way.
23. Where a party to this agreement has a significant disagreement with the position of another, each party will seek to accommodate, acknowledge or at least fairly represent the dissenting view of the other.
24. Nothing in this agreement alters any statutory rights or obligations under any Act.
25. This agreement neither precludes nor constitutes a joint venture, pooling arrangement, partnership or formal business organisation of any kind, nor an obligation to perform a contract with any other party.

F. Mode of Operation

26. The Upper North Island Strategic Alliance (UNISA):
 - is a collaborative body that may make recommendations to constituent councils and central government
 - has no decision-making authority
27. The mode of operation will include:
 - each council will fund its own participation
 - chief executives will identify officer resource to support the work of UNISA
 - UNISA will meet at the governance level to an agreed schedule
 - UNISA will facilitate identification of key strategic issues, particularly where there is high interconnectivity
 - UNISA will collaborate on initiatives that support economic, social, environmental and cultural wellbeing

- each council will give early notification of issues and opportunities that may affect another party
 - each council will provide the other parties with key strategic planning documents.
 - each Council will communicate with other councils in their region.
28. The leaders of each Regional Council, City Council and District Council that are members of this agreement will engage with the District Councils in their region on strategic issues under this agreement and all Councils will maintain their own operational inter-council relationships as normal.
29. Territorial authorities (who are not signatories to this agreement) with specific interests in items that are under discussion under the UNISA will have opportunities to be involved in discussions and background analysis, and will have the ability to comment on work being undertaken.

G. Meetings

30. Meetings in relation to the agreement will be coordinated and recorded by the parties to the agreement.
31. Meetings will be attended where possible by the Chairperson/Mayor and Chief Executive of each partner council, or his/her appropriate nominee, with further staff support as considered appropriate by each partner.
32. External speakers and participants, including mayors from territorial authorities (who are not signatories) with specific interests in the items under discussion, may from time to time be invited to attend meetings.
33. Meetings will be held at times and in places set out in an agreed annual schedule.
34. All formal public communications from these meetings will be approved by all parties prior to their release.

H. Review

35. This agreement shall be reviewed following two meetings from the date of signing and at the commencement of each triennial term of the seven councils. Any party to the agreement may seek alteration to the agreement during its term.

Executed by the Parties as a Non-Binding Agreement

Auckland Council

Phil Goff
Mayor

Stephen Town
Chief Executive

Bay of Plenty Regional Council

Douglas Leeder
Chairman

Mary-Anne Macleod
Chief Executive

Northland Regional Council

Bill Shepherd
Chairman

Malcolm Nicolson
Chief Executive

Waikato Regional Council

Alan Livingston
Chairman

Vaughan Payne
Chief Executive

Hamilton City Council

Andrew King
Mayor

Richard Briggs
Chief Executive

Tauranga City Council

Greg Brownless
Mayor

Garry Poole
Chief Executive

Whangarei District Council

Sheryl Mai
Mayor

Rob Forlong
Chief Executive
