

**Before a Panel of Independent Hearing Commissioners
appointed by Kaipara District Council**

IN THE MATTER OF the Resource Management Act 1991 (**RMA**)

IN THE MATTER OF a submission by the New Zealand Transport Agency on a request by Dargaville Racing Club Inc for Private Plan Change 81 (Dargaville Racecourse) to the Kaipara District Council

**STATEMENT OF EVIDENCE OF MARK JOSEPH NEWSOME FOR WAKA KOTAHI NZ
TRANSPORT AGENCY**

NORTHLAND SPEED PROGRAMME

Dated: 17 March 2023

1. EXECUTIVE SUMMARY

- 1.1 My full name is Mark Joseph Newsome. I am currently a Principal Engineer – Road Safety for WSP NZ Ltd (WSP). Prior to joining WSP (in August 2022), I spent 4 years working for Waka Kotahi NZ Transport Agency (“**Waka Kotahi**”) as a Senior Safety Engineer in Auckland. My evidence on Private Plan Change 81 (“**PPC81**” or the “**Plan Change**”) draws on my knowledge and work as the lead safety engineer for the Northland Speed Reviews during my time as a Senior Safety Engineer for Waka Kotahi.
- 1.2 Waka Kotahi is responsible for managing the state highway system, including planning, funding, designing, constructing, maintaining, and operating the system. State Highway 14 is located along the western boundary of the Private Plan Change 81 area and will be directly affected by the development proposed in the Plan Change. As a result, Waka Kotahi has a direct interest in the Plan Change.
- 1.3 After reviewing the s42A report, the key remaining unaddressed concern raised by Waka Kotahi relates to the form and timing of the State Highway 14 (“SH14”)/Awakino Point North Road intersection (“the intersection”) upgrade. In particular, the Transportation Hearing Report has suggested that both the developer and Waka Kotahi comment on setting a safe and appropriate speed for this section of highway (regardless of the intersection treatment).
- 1.4 My evidence is backward looking and considers the process and decisions made for the Northland Speed Reviews project to date that is now nearing implementation (in part). The evidence of Mr Hughes outlines the direction and process of future speed limit reviews.
- 1.5 The key outcomes sought by Waka Kotahi in relation to the Plan Change are to:
 - (a) Appropriately manage potential adverse effects on the state highway system, including integrating development with transport infrastructure upgrades in a safe and efficient manner; and
 - (b) Promote integration of development with public and active transport modes.

2. QUALIFICATIONS AND EXPERIENCE

- 2.1 My qualifications include a Master of Engineering Studies (Transportation) with Honours and a Bachelor of Engineering (Civil) from the University of Auckland. I am also a member of Engineering New Zealand; its technical interest group (The Transportation Group New Zealand) and the Australasian College of Road Safety (ACRS).

- 2.2 I am in my sixteenth year of practice as an engineer with thirteen of those years in the roles of Safety Engineer, Senior Safety Engineer, Team Lead (Safety Engineers) or Principal Engineer – Road Safety. Aside from the last 7 months (as a Principal Engineer – Road Safety for WSP), my career has been entirely with Waka Kotahi to date.
- 2.3 In my capacity as a Senior Safety Engineer for Waka Kotahi, I was responsible for road safety on the Auckland North and Northland state highway networks including key functions such as:
- (a) Reviewing and recommending the setting speed limits in accordance with current legislation.
 - (b) Providing technical road safety advice to address the effects of land use developments on the state highway network.
 - (c) Overseeing the delivery of the Minor Safety Programme. This is a programme of safety improvements (each costing no more than \$2M). The work involved identifying, prioritising, and addressing common crash trends on the state highway network to reduce death and serious injury casualties.
 - (d) Providing technical road safety advice on capital projects (those greater than \$2M) including participation in formal road safety audits (either as an auditor identifying safety issues on a project or as the client identifying mitigations to issues raised).

3. CODE OF CONDUCT

- 3.1 I have read the Environment Court's Code of Conduct for Expert Witnesses contained in the Environment Court Practice Notes 2023, and I agree to comply with it. My qualifications as an expert are set out above.
- 3.2 I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed. I have no conflict of interest to declare.

4. SCOPE OF EVIDENCE

- 4.1 In preparing this evidence, I have relied on the summary of the project to date as outlined in the s42A report.
- 4.2 The purpose of my evidence is to provide a summary of the process and decisions made for the Northland Speed Reviews to date, to assist the Commissioners in understanding

5.2 Governed by the legislative powers of the Land Transport Rule: Setting of Speed Limits Rule 2017 (“**the rule**”) and supported by the best practice guidelines of the Speed Management Guide 2017, the process was generally as follows:

- (a) Technical Assessment – To give effect to section 4.2 (2) (a)-(h) of the rule by having regard for the attributes that contribute to what a safe speed limit may be.
- (b) Internal Engagement - To give effect to section 4.2 (2) (i) of the rule by giving interested parties within Waka Kotahi a chance to comment on the proposal in light of other activities that may be taking place on the State Highway. Essentially, this is one of the attributes that contribute to what a safe and appropriate speed limit may be.
- (c) External Engagement - To give effect to section 4.2 (2) (j) of the rule by seeking the views of interested persons and groups outside Waka Kotahi. Essentially, this helps to refine what a safe and appropriate speed limit may be before going to consultation.
- (d) Formal Consultation – To give effect to sections 4.3 and 4.4 of the rule that essentially state that the road controlling authority “must consult” and “must have regard for the submissions received” before deciding what the safe and appropriate speed is.
- (e) Final Decision - To give effect to sections 2.7(4) or 2.7(5) of the rule that require a road controlling authority to decide what the safe and appropriate speed is and then either set that as the speed limit or upgrade the road such that it is safe at the current speed limit.

6. SUMMARY OF FINDINGS AND DECISIONS MADE TO DATE

6.1 With reference to the process outlined in section 6.2 of this evidence, I now summarise the findings and decisions made following each stage in the Northland Speed Reviews process:

- (a) Technical Assessment – The technical assessment identified that a safe speed for the rural state highway with curved alignment past the intersection of Awakino Point Road may be 80km/h.
- (b) Internal Engagement – This identified that there were no works planned for the state highway that affected the technically assessed outcome. In this document, I had also identified a programme risk that SH14 was “not the highest crash risk

corridor in Northland” and had suggested a possible approach may be “deferring until higher priority crash risk corridors had been instigated and delivered”. At the end of this stage, a decision was made to progress to External Engagement.

(c) External Engagement:

a) For the 11 corridors:

- (1) There were consistent comments supporting reduced speed in places where there are schools, preschools and a high number of people who walk or bike.
- (2) However, when it came to the open road, there were also those who believed that the current speed limits should remain, or be raised.

b) For SH14 in particular, we heard:

- Road maintenance was a key issue for locals.
- Speed limit reductions were needed at the SH15/SH14 intersection and around some townships.
- Overall, people said that they were happy with the current speed limit on SH14.
- We received a request to factor in the growing population in this area, along with the number of kura/schools and businesses.

c) Specific to the section of road containing the intersection, it was found that:

- Majority of comments opposed speed reduction.
- A number of comments suggested more passing lanes/slow vehicle bays etc. to get past slow vehicles.
- A number of comments suggested a gateway treatment or roundabout at Awakino Point West and speed reduction.

Following external engagement, a decision was made at an executive level that the project should progress to consultation for townships and marae where change was supported.

This resulted in the section of road containing Awakino Point Road (and many other rural roads within the 11 corridors) not being progressed further as part of this project.

7. LAND TRANSPORT RULE: SETTING OF SPEED LIMITS 2021

- 7.1 During the course of the Northland Speed Reviews, the Land Transport Rule: Setting of Speed Limits 2021 (“**new rule**”) was passed resulting in the earlier 2017 rule (“**old rule**”) being repealed.
- 7.2 Under the new rule, speed limits where consultation had begun prior to the passing of the new rule, could continue to be set largely as per the old rule.
- 7.3 Speed limits where consultation hadn’t started would need to go through the consultative processes of the new rule.
- 7.4 Because the intersection was not progressed to consultation as part of the Northland Speed Reviews, it would need to go through the consultative processes prescribed in the new rule (if it were to be further progressed).

8. CONCLUSION

- 8.1 In conclusion, I note that a speed limit change at the intersection Awakino Point Road is not presently proposed and is also not under active consideration. Any speed limit change at this location (if it occurs at all) is so distant that PPC81 should not rely on a reduced speed limit eventuating.
- 8.2 Further, the requirement for consultation to occur and for road controlling authorities to have regard for the feedback received, means a decision cannot be made on a potential speed limit until consultation has been undertaken.



17 March 2023

Mark Joseph Newsome