

BEFORE THE HEARING COMMISSIONERS

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission by Waka Kotahi NZ
Transport Agency on resource consent
applications for the expansion of
Northport

**Statement of Evidence of Steve Mutton on behalf of Waka Kotahi NZ
Transport Agency - Corporate**

Dated: 22 September 2023

Statement of evidence of Steve Mutton

1 Introduction

- 1.1 My full name is Stephen John Mutton. I am the Director Regional Relationships Te Tai Tokerau me Tāmaki Makaurau for the Auckland and Northland region at Waka Kotahi NZ Transport Agency (Waka Kotahi).
- 1.2 I have been employed by Waka Kotahi since October 2010;
- 1.3 I am the Director Regional Relationships, and have held the following roles within Waka Kotahi:
 - a Senior Manager System Management;
 - b Earthquake Recovery Manager;
 - c Director Auckland Motorway Alliance; and
 - d Safety and Network Performance Manager.
- 1.4 My recent relevant experience includes being accountable for:
 - a Building, enhancing and maintaining Waka Kotahi's presence, performance and reputation with central government, senior local government, iwi and other significant and influential community, private and public sector stakeholder relationships.
 - b The effective and efficient maintenance and management of New Zealand's road transport system.
 - c The reinstatement of South Island Transport System after the November 2016 Kaikoura earthquake.
 - d The efficient and effective operations and maintenance of the Auckland Motorway network.
- 1.5 I am giving evidence in my capacity as a Waka Kotahi employee. I confirm I have authority to give this evidence. I rely on my experience and knowledge of working at the Waka Kotahi for the last twelve years and prior experience at Vector Limited and Parsons Brinckerhoff totalling thirty nine years. My evidence is informed by the high level strategies of Waka Kotahi, government policy and discussions with colleagues at Waka Kotahi on various issues.

2 Scope of evidence

2.1 This evidence addresses the following matters:

- a Statutory functions of Waka Kotahi;
- b Funding and investment;
- c Regional direction - Arataki;
- d State Highway 15 (State Highway 1 to Marsden Point);
- e The Northport applications; and
- f Conclusions.

2.2 In preparing this evidence, I have reviewed the following evidence:

- a Joint Statement of Evidence of Catherine Heppelthwaite, Planning, and Angie Crafer, Transport.

3 Statutory functions of Waka Kotahi

3.1 Waka Kotahi is a crown entity established on 1 August 2008 under the Land Transport Management Act 2003 ('**LTMA**'). The statutory objective of Waka Kotahi under the LTMA is to "*undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest*".¹

3.2 The objectives, functions and powers of Waka Kotahi are set out in the LTMA and the Government Roding Powers Act 1989 ('**GRPA**'). Section 95(1) of the LTMA includes the following functions which are relevant to the applications:²

- a To contribute to an effective, efficient, and safe land transport system in the public interest; and
- b To manage the state highway system, including planning funding, design, supervision, construction, and maintenance and operations, in accordance with the LTMA and the GRPA.

3.3 The above functions reflect a general duty to ensure that all forms of land transport (not just state highways) operate in an effective and integrated manner. For this reason, Waka Kotahi is an approved requiring authority not only for the

¹ LTMA section 94

² LTMA sections 95(1)(a) and (g).

construction and operation (including the maintenance, improvement, enhancement, expansion, realignment and alteration) of state highways, but also cycleways and shared paths.³ It also means that Waka Kotahi also has an interest in how local roads (including walking and cycling networks and public transport facilities) are managed and funded.

4 Funding and investment

4.1 Waka Kotahi funding for transportation projects comes from:

- a the National Land Transport Fund ('NLTF');
- b local share, essentially local government contributions;
- c Crown funding outside the NLTF (e.g. the NZ ; and
- d Supplementary funds where a third party benefits from a land transport benefit the third party is expected to contribute to that benefit.

4.2 As a Crown entity Waka Kotahi is required to follow a very structured approach to applying its funding in a responsible way that best meets the needs of New Zealand in accordance with the directions in the Government Policy Statement on Land Transport (GPS).⁴ The GPS is the mechanism by which the Minister of Transport guides Waka Kotahi (and the broader land transport sector) on the outcomes, objectives, and short to medium-term goals that the Government wishes to achieve through the National Land Transport Programme ('NLTP') and from the allocation of the NLTF.⁵

4.3 The Government's four strategic priorities, expressed through the current GPS 2021, are:

- a Safety;
- b Better travel options;
- c Climate change; and
- d Improving freight connections

4.4 The Government has recently consulted on the draft Government Policy Statement on Land Transport 2024. The Draft GPS 2024/25 – 2033/34 also

³ Resource Management (Approval of Transit New Zealand as Requiring Authority) Notice 1994; Resource Management (Approval of NZ Transport Agency as a Requiring Authority) Notice 2015

⁴ Section 70 of the LTMA

⁵ Section 84, LTMA.

signals prioritisation for an integrated freight system as one of its six strategic priorities. The primary objective for an integrated freight system, is for well-designed and operated transport corridors and hubs that provide efficient, resilient, multi-modal, and low carbon connections to support productive economic activity.

4.5 The NLTP is a three-year programme that sets out how Waka Kotahi NZ Transport Agency, working with its partners, plans to invest the National Land Transport Fund (NLTF) in accordance with the GPS to create a safer, more accessible, better connected and more resilient land transport system that keeps New Zealand moving.

4.6 The NLTP is informed by Regional Land Transport Plans (RLTPs) and by the Waka Kotahi investment proposal which includes proposed state highway activities and nationally delivered programmes. All of the activity and project proposals are prioritised for funding on a national basis.

5 In short, there is a limited pool of funding available to Waka Kotahi and competing priorities need to be balanced using investment prioritisation methods. Once the priorities are set in the NLPT and the RLTPs, it is difficult to obtain funding for additional projects that are not prioritised in those documents. Regional Direction - Arataki

5.1 To deliver the outcomes set by the GPS, Arataki provides a strong foundation for how Waka Kotahi has ongoing conversations with its partners to deliver the future land transport system needed to keep Aotearoa New Zealand moving over the next 30 years.

5.2 Arataki – Te Tai Tokerau – Northland March 2023, sets the regional direction for Northland. Te Tai Tokerau has a poor road safety record, with an average of 180 annual deaths and serious injuries during the past three years. The greatest risk areas are:

- a SH1 from Mahurangi Warkworth to Pakaraka (SH10);
- b urban areas in Whangārei; and
- c high-risk rural roads.

5.3 Arataki also recognises that for efficient and effective progress, transport challenges in Te Tai Tokerau must be tackled in a cohesive way. Some of the

most important issues to be resolved over the next 10 years to make progress towards transport outcomes that are specific to Northport include:

- *Increase resilience by focusing on key connections and communities at risk, as well as important road and rail connections to Tāmaki Makaurau Auckland and Northport.*
- *Identify and support opportunities to move to a multimodal freight system with greater use of rail and coastal shipping.*
- *Identify and support opportunities to move to a multimodal freight system with greater use of rail and coastal shipping.*

- 5.3 The freight task in Te Tai Tokerau in 2017/18 was 16.6 million tonnes or around 6% of the New Zealand total. A total of 81.3% of the freight task in Te Tai Tokerau was moved by road, 17.5% by coastal shipping, and less than 1% by rail.
- 5.4 Arataki acknowledges that recent investment in upgrading the North Tāmaki Makaurau Line between Tāmaki Makaurau, Whangārei and the planned reopening of the line to Otiria, where a new container terminal is to be located, will support an increased role for rail freight. KiwiRail is also developing detailed plans to construct a new 19km rail spur connecting Northport to the rail network. These investments will support an increased mode share for rail freight in the region, supported by plans to expand the role of Northport and allowing for growth in container traffic.
- 5.5 Arataki identifies the growth of Northport as a significant opportunity. A growing role for Northport in New Zealand's overall supply chain seems likely in the future, meaning that improved road and rail connections will be critical. The following key actions are identified for Northport to support the economic prosperity of Te Tai Tokerau:
- a Supporting resilient, reliable and efficient freight travel through inter-regional road and rail connections to Tāmaki Makaurau and Northport.
 - b Managing increased transport costs in a way that doesn't negatively impact economic activity.
 - c Exploring opportunities to move to a more multimodal freight system with greater use of rail and coastal shipping.
 - d Working with Northland Inc to identify and support economic development opportunities.

6 State Highway 15 (State Highway 1 to Marsden Point) (SH15)

- 6.1 SH15 (SH1 to Marsden Point) is identified as a key freight route within the state highway network, forming the primary connection between SH1 and Northport, as well as large areas of heavy and light industrial activity. The strategic importance of SH15 is recognised in Arataki, the Upper North Island Freight Story and Whangarei District Council Growth Strategy. SH15 currently has a Heavy Traffic AADT of 778 which accounts for 21% of vehicle traffic.
- 6.2 SH15 is the only road link between the Northport and Channel Infrastructure (formally Refining NZ) Whangarei via SH1 and plays a major role in the local and regional economy. SH1 provides a key economic link between Northland and the rest of New Zealand and is critical to improving the prosperity of the region.
- 6.3 The future role for SH15 will continue to be as a major freight connection. This role will be driven by anticipated growth in imports and exports from Northport and development of currently vacant industrial land. Alongside the freight role of SH15, the Marsden area is also projected to receive relatively high levels of housing development and population growth. This will also need to be factored in when considering future network improvements, including the intersection with SH 1.
- 6.4 When completed, the Marsden Spur rail link will also play an important role within the freight network and increase the opportunity for freight transfer to rail from road along with future upgrades to the rail line between Otiria and Whangarei which will enable it to carry 18 tonne axle loads.

7 The Northport applications

- 7.1 Waka Kotahi recognises that the expansion of Northport will improve freight connections to key markets by enable more and different goods to be imported and exported. In turn, this will help support continued economic development in the region. Northport provides a vital component within the freight network of the Upper North Island. Northport's role is also supported by continued investment by the Government in rail, including the new spur line.
- 7.2 The resource consent for Northport's expansion is complementary to and supportive of the strategic direction in Arataki and aligns with Waka Kotahi's 30 year view of economic development and the freight network.

- 7.3 The port expansion aligns with the GPS 2021 in terms of improving freight connections:⁶

Efficient, reliable, safe, mode-neutral and resilient freight transport – within cities, between regions and to ports – is vital for a thriving economy. Regional New Zealand’s primary production is a key driver of the national economy. The transport system needs to support the movement of freight by the most appropriate mode, improving interregional corridors, and increasing resilience.

- 7.4 The GPS also recognises the co-benefits of improving freight connections in relation to the Transport Outcomes Framework developed by the Ministry of Transport:

- a **Resilience and security** - Improving transport connections, alternative routes and investments in multiple travel modes will boost the ability of the transport system and communities to recover from disruptive events, supporting continuity in economic activity and regional development.
- b **Environmental sustainability** - Over time increasing movements of freight by lower emissions transport modes, such as rail and coastal shipping, will reduce emissions and pollutants.
- c **Healthy and safe people** - Increasing movements of freight by rail and coastal shipping over time, which are safer than road travel, will reduce the safety risks of travel. Air pollution in our urban centres will be reduced.

- 7.5 Waka Kotahi supports the proposal to expand the existing Northport facility to operate a high density container terminal insofar as it promotes national and regional economic growth. However, Waka Kotahi considers that the traffic effects of the proposed expansion on the transportation network will need to be carefully managed. As explained in the AEE, the following intersections will have operational concerns in the future:

- a SH15/Marsden Bay Drive/Rama Road;
- b SH15/Marsden Point Road;
- c SH15/One Tree Point Road/McCathie Road; and

⁶ Section 2.1, Government Policy Statement on Land Transport 2021

d SH15/SH1.

- 7.6 These concerns arise from a combination of the residential development projected to occur in the surrounding areas of Ruakākā, Marsden and One Tree Point as well as additional traffic movements from the Northport expansion. While Northport has indicated a willingness to fund the portion of the works attributable to its increased traffic flows from the port expansion, no funding has been determined or allocated for the remaining portion of the improvements. The timing of any such funding being available is not known at this point and will depend on the relative demand for funding from other projects.
- 7.7 While the funding mechanisms to deliver the upgrades are not a matter that is relevant to this hearing, Waka Kotahi has been in discussions with Northport to determine how to address the adverse transportation effects that will occur if there is a gap between the point at which the intersections become unsafe and the funding and delivery of the intersection upgrades. Expert conferencing has occurred and Ms Heppelthwaite and Ms Crafer's joint evidence explains the types of conditions that the parties have been discussing address this issue.
- 7.8 It is acknowledged that the traffic effects of the Northport expansion will not occur immediately and will be gradual over time. A toolbox of methods may be employed including managing traffic flows from the Port during the peak traffic flows. Further expert conferencing is scheduled prior to the hearing, and Waka Kotahi anticipates being in a position to put forward specific conditions prior to the hearing.

8 Conclusion

- 8.1 Waka Kotahi supports the Northport expansion insofar as it promotes economic growth in Te Tai Tokerau, the role of coastal shipping and multimodal freight connections. Waka Kotahi has a statutory obligation to contribute to an effective, efficient and safe land transport system in the public interest and must give effect to the GPS and support other national and regional policy / strategy direction.
- 8.2 Accordingly, Waka Kotahi supports Northport's expansion application subject to appropriate conditions being imposed to ensure that the adverse effects of that expansion are appropriately remedied or managed prior to the implementation of any upgrades required to the four identified intersections.

Stephen John Mutton

22 September 2023