

Before Independent Hearing Commissioners In Whangarei

Under the Resource Management Act 1991 (the Act)

In the matter of Proposed Plan Change 129 – Notable and Public Trees

And **NZ Transport Agency**
Submitter

Statement of Evidence for Michael Blain Wood for the NZ Transport Agency (Planning)

Dated 21 November 2018

1 Qualifications and Experience

- 1.1 My full name is Michael Blain Wood. I am a Principal Planning Advisor with the New Zealand Transport Agency (Transport Agency) where I have been employed since June 2014.
- 1.2 I hold a Masters in Resource and Environment Planning (MRP) from Massey University in 2001. I am a full member of the New Zealand Planning Institute. I have 16 years' planning experience both within the public and private sector.
- 1.3 My key responsibilities include working with local councils on district plan reviews and plan changes, assessing land use development applications and providing affected and section 176 approvals, and contributing to business cases for capital works.
- 1.4 I have authority to give evidence on behalf of the Transport Agency.

2. Transport Agency Network in Whangarei

- 2.1 The Transport Agency is responsible for the operation and management of the State Highway network in the Whangarei District which includes:

- State Highway 1 linking Whangarei with Kaitaia in the North and Auckland to the south;
- State Highway 14 linking Whangarei to Dargaville;
- State Highway 15 which links Whangarei with Kaikohe; and
- State Highway 15A which links Marsden Point with State Highway 1, Auckland and Whangarei City.

The Transport Agency is a co-investor in the construction of new local roads, the maintenance of local roads and public transport throughout the Whangarei District.

3 Purpose and scope

- 2.1 The purpose of my evidence is to seek further clarification on the application of Rule NPT.1.10 to the road reserve within the State Highway Network. That rule states:

"Public tree means, any tree or trees located within a road reserve, park or reserve administered by Whangarei District Council greater than 6.0m in height or with a girth (measured 1.4m above the ground) greater than 600mm except...."

- 2.2 In relation to rule NPT.1.10 (Protected Public Trees), the Transport Agency's submission sought to confirm that this rule excluded areas of road reserve adjoining the State Highway Network. While the rule relates only to trees located within the road reserve administered by Whangarei District Council (WDC), should WDC determine that this rule applies to trees within the road reserve, the Transport

Agency sought further clarification that this excludes areas of road reserve adjoining the State Highway Network,

3. **Planner's Report**

3.1 In response to this request the WDC's Section 42A report states under paragraph 305 that -

"if a tree or trees are located within a designated State Highway corridor administered by NZTA, then it is clear that this provision would not apply

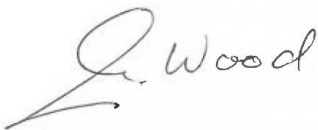
2.4 This response appears to substantively address the Transport Agency's concern. However, to make this intention clearer, I consider that the wording of the rule could be amended slightly as follows:

Public tree means, any tree or trees located within a road reserve, park or reserve administered by Whangarei District Council (excluding a tree or trees within any State Highway) greater than 6.0m in height or with a girth (measured 1.4m above the ground) greater than 600mm except:

2.5 This amendment is also necessary because parts of the State Highway are administered jointly by WDC and the Transport Agency. It is my understanding that under the Memorandum of Understanding¹ (MoU) between WDC and the Transport Agency (June 2009), vegetation control within the State Highway urban sections (posted speed limit is equal to or less than 70 km/hr) are shared between both parties. In order to exclude this type of land, the relevant rule should be amended to exclude any State Highway.

2.7 I agree with the Council Reporting planner generally that a State Highway designation would effectively override the application of rule NPT.1.10 to the State Highway network and allow the Transport Agency to remove or modify a tree. However, the scope of the Transport Agency designations may not always address these activities, if they are historic designations, and there are some State Highways that are not designated. In addition, State highways are higher speed environments and there is a need to manage trees and vegetation within these corridors to ensure safe operation of the network.

2.8 The simpler, more effective and efficient solution, taking into account the relevant statutory matters, including section 32 of the Act, is to make the amendments identified above.



Michael Blain Wood
21 November 2018

¹ This MoU clarifies the responsibilities of the parties for maintenance, incident response and control of activities on state highways within the Whangarei District Council area