

**BEFORE THE TARANAKI REGIONAL COUNCIL AND NEW PLYMOUTH  
DISTRICT COUNCIL**

**MT MESSENGER BYPASS PROJECT**

In the matter of the Resource Management Act 1991

and

In the matter of applications for resource consents, and a notice of requirement by the NZ Transport Agency for an alteration to the State Highway 3 designation in the New Plymouth District Plan, to carry out the Mt Messenger Bypass Project

---

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF HUGH JOHN MILLIKEN  
ON BEHALF OF THE NZ TRANSPORT AGENCY**

28 September 2018

---

**BUDDLEFINDLAY**  
Barristers and Solicitors  
Wellington

Solicitors Acting: **Paul Beverley / David Allen / Thaddeus Ryan**  
Email: david.allen@buddlefindlay.com / thaddeus.ryan@buddlefindlay.com  
Tel 64-4-499 4242 Fax 64-4-499 4141 PO Box 2694 DX SP20201 Wellington 6140

## INTRODUCTION

1. My full name is Hugh John Milliken.
2. This supplementary statement of evidence is given in relation to applications for resource consents, and a notice of requirement by the NZ Transport Agency ("the **Transport Agency**") for an alteration to the State Highway 3 designation in the New Plymouth District Plan, to carry out the Mt Messenger Bypass Project ("the **Project**").
3. It is my second statement of evidence, following my statement of evidence in chief ("**EIC**") dated 25 May 2018.
4. This supplementary statement addresses two matters, in my role as Alliance Manager:
  - (a) I respond to a document presented at the hearing by Haumoana White for Ngā Hapū o Poutama ("**Poutama**"). That document purported to be a record of a meeting held at the home of Mr and Mrs Pascoe on 12 July 2018; and
  - (b) I clarify the intention in terms of upgrading the car parking provided at the entry points to the Kiwi Road and Mt Messenger Tracks, along the existing SH3.
5. I have the qualifications and experience set out in my EIC. I repeat the confirmation given in my EIC that I have read the 'Code of Conduct' for expert witnesses and that my evidence has been prepared in compliance with that Code.
6. In this evidence I use the same defined terms as in my EIC.

## RESPONSE TO DOCUMENT PRESENTED BY HAUMOANA WHITE

7. At the hearing on 16 August 2018, representatives of Poutama provided a range of documentation. I do not intend to provide a response to all of those documents, or to the evidence and representations on behalf of Poutama generally.
8. However, I do consider it important to respond to one document presented by Haumoana White, being a purported summary of a meeting held at the home of Mr and Mrs Pascoe on 12 August 2018. I attach a copy of that document as **Appendix 1** for ease of reference.
9. I attended the meeting, along with the Transport Agency's property advisor Andrew Hopkirk (of The Property Group), the Transport Agency's Project Manager Andrew Gard (who has succeeded Mr Napier in that role), and Stuart Haynes, the Construction Manager for the Alliance. Mr and Mrs Pascoe were also in attendance, as were Haumoana White and Russell Gibbs. The Transport Agency / Alliance attendees were unaware that Mr White and Mr

Gibbs were going to attend the meeting until we arrived at the Pascoes' property.

10. The meeting was the latest in a series of meetings between the Transport Agency / Alliance and Mr and Mrs Pascoe. The intention was that the meeting would address property acquisition and negotiation matters in the context of the Public Works Act 1981, as well as practical matters related to the impact of Project construction on the Pascoes.
11. No formal record of the meeting was taken at the time, and I did not understand there to be any intention that formal minutes would be circulated.
12. On 14 August 2018 (over a month after the meeting), Mr White sent an email to Mr Gard. That email is effectively replicated in the document that was then presented at the hearing by Mr White (and which is attached by Mr White).
13. To be clear, this document is not an agreed summary of the meeting, or matters agreed at the meeting. No agreed summary of the meeting exists.
14. In particular, at no stage did the Transport Agency / Alliance agree with the statements set out at the bottom of the first page and top of the second page of the document. The Transport Agency has subsequently made this clear to the Pascoes, for the avoidance of any doubt in that respect (although as far as I am aware there is no particular indication that Mr and Mrs Pascoe consider the document to be an accurate record of the meeting).
15. I am not an expert in cultural matters, and make no comment on the claims by Mr White as to the relationship between Mr and Mrs Pascoe and Poutama, or the cultural values associated with the Pascoe property.

#### **UPGRADING THE CAR PARKING FOR THE KIWI ROAD AND MT MESSENGER TRACKS**

16. The AEE for the Project, and Mr Boam's evidence, state that the car parking provision at the entrance to the Mt Messenger and Kiwi Road tracks along the existing SH3 will be improved as part of the construction of the Project. The previous version of the designation conditions proposed by the Transport Agency provided for the design of that improved car parking situation to be detailed and confirmed through the outline plan of works process.
17. In an effort to avoid any future misunderstandings about what should be provided, I note that the intention is that the existing, informal pull off area at the entrance to the Kiwi Road track will be upgraded. In particular, this area will be levelled and appropriately surfaced, and five formally marked out car parking spaces will be provided.
18. I attach a plan showing the proposed upgrade to this car parking area as **Appendix 2**. This upgrade will provide improved car parking access for the

entrance to the Kiwi Road Track. The rest area parking which provides car parking for the Mt Messenger Track will remain unchanged.

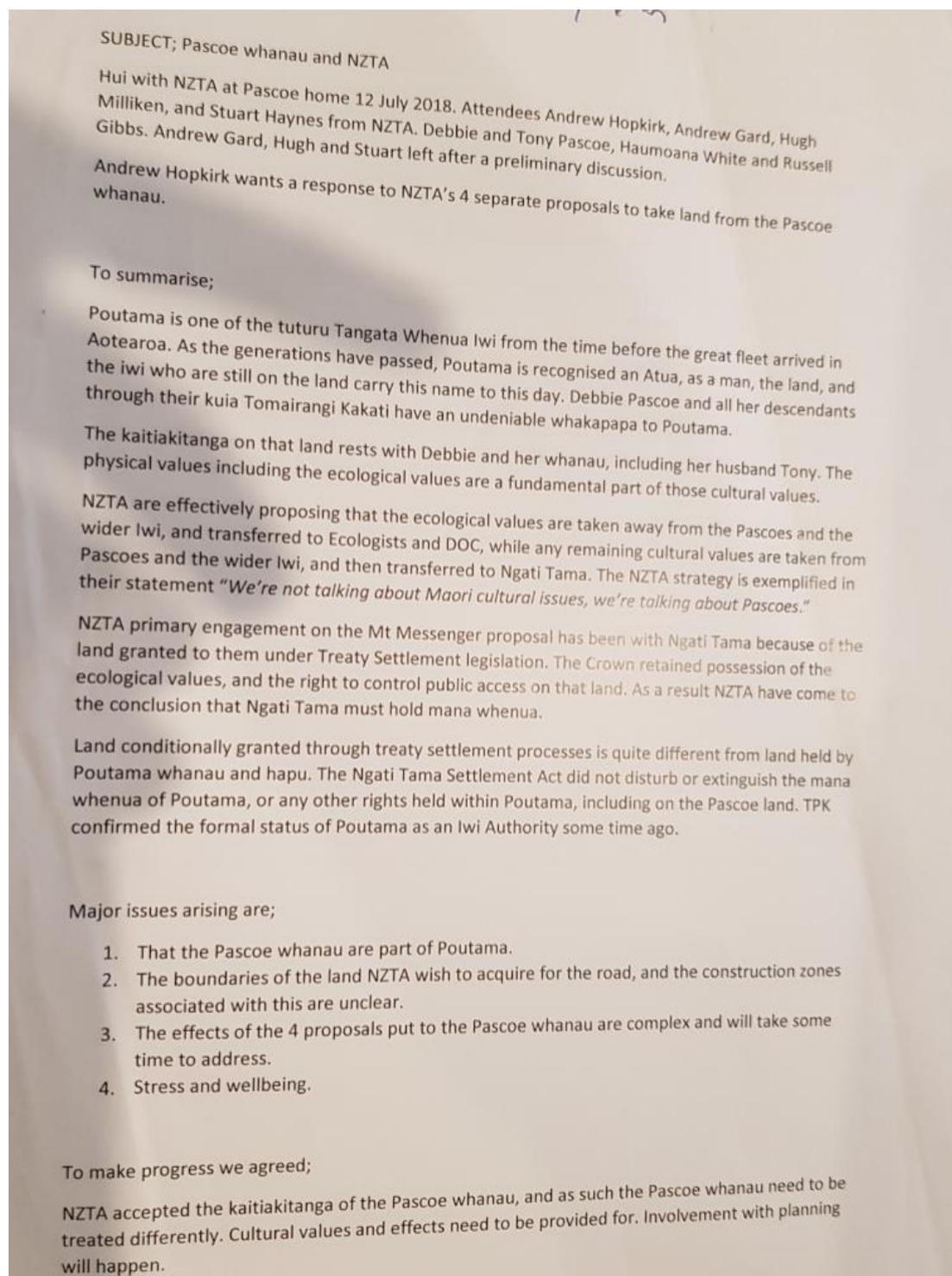
19. As explained by Mr Napier in his evidence in chief, the existing SH3, where the entrance to both tracks and the car parking area that we are proposing to upgrade is located, will be subject to a formal revocation process. I understand the revocation process is likely to address (including through consultation with NPDC) access to the tracks. Depending on the outcome of the revocation process, it is possible that there will ultimately be an alternative or additional arrangement for access to the tracks (including car parking access). In my view that is a matter best addressed through the revocation process.

**Hugh Milliken**

**28 September 2018**

## Appendix 1: Copy of Document presented by Haumoana White to the hearing

(NB this is a photographed copy of a hard copy handed out at the hearing)



The Poutama Iwi Taumata will be supporting the whanau through the process. Cost for time spent engaging in the process including monitoring, by the Pascoe whanau and Poutama will be reimbursed through the Poutama Iwi Trust.

Mitigation for cultural damage to lands, including Kaitiakitanga, can and must be made, including costs of rehousing, support buildings and infrastructure.

The bull farm (Washers) may be a practical option for mitigation.

Andrew was to print out plans and meet Poutama - Pascoe taumata, so as to identify detail such as the location of the road alignment, location of the haul road, laydown areas, fill sites etc. In practice Stuart Haynes visited 30 July 2018 with plans. However, he advised the haul road alignment and design hasn't been confirmed, and the intended road alignment has been changed. "There are so many pegs put in I can't tell what they are."

Stuart was to provide a full size wall chart showing zones, haul road, cut and fill areas, which was reprinted in the last week or so, as well as plans showing where the material from each cut is intended to go, and plans showing profiles for the haul road.

Stuart will arrange for the rubbish and monitoring equipment left from the ecological assessments to be picked up and removed. He will also send a written scope of works for the survey work done that week, as Tony was not informed.

Nga mihi

Haumoana White

Pascoe whanau Poutama committed to kaitiakitanga, least amount of damage and least amount of land taken, certainly not losing land as mitigation for damage elsewhere/for others/3<sup>rd</sup> parties.

**Appendix 2: Plan showing proposed upgrade to car parking at entry to Kiwi Road track**

*[Separate document]*