

Before the Fast-track Panel

Under: Fast-track Approvals Act 2024

In the matter of: FTAA-2603-L003 – Tukituki Water Security Land Exchange

Statement of advice: Richard Nester

Cultural Heritage

Department of Conservation Senior Heritage Advisor

3 September 2026

Introduction

1. My full name is Richard Paul Nester.

Instruction

2. I have been requested to provide expert advice on behalf of the Director-General of Conservation for his section 35 land exchange report required to be prepared under the Fast-Track Approvals Act 2024, for the Tukituki Water Security Project land exchange application.

Qualification and Experience

3. I am a Senior Heritage Advisor with the Department of Conservation's Biodiversity, Heritage and Visitor Group based in Wellington and provide cultural heritage advice nationally and specific advice to the Lower North Island region. I have a Bachelor of Science in physical geography from the University of Otago (1994) and a Masters of Library and Information Systems from the Victoria University of Wellington (1997). I have been employed with the Department of Conservation for twenty nine years, including 14 years as a heritage technical officer and 15 years as a Heritage Advisor.
4. I have a good understanding of the cultural heritage management of the Lower North Island Region. In relation to work undertaken in this vicinity, I have run Heritage training workshops and led remedial work at Ellis Hut which is located near by.
5. My role in this project has included the review of the application documents, including the Applicants Archaeological Assessment and other supporting documentation

Code of conduct

6. Whilst it is acknowledged this is not an Environment Court Proceeding, I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in the preparation of this advice. Unless I state otherwise, this advice is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of advice and expert opinion

7. My expert advice relates to the following:
 - i. Adequacy of the Applicant's assessment of the cultural heritage values, including identification of any values that have not been assessed or have been insufficiently characterised.
 - ii. Adequacy of the Applicant's assessment of effects on the cultural heritage values with specific reference to any effects that are incomplete, understated, or not addressed.
 - iii. Adequacy of the Applicant's proposed mitigation, rehabilitation and management measures.
 - iv. Alternative mitigation or management approaches, where appropriate, including clarification of my recommended or preferred measures including where these differ from those proposed by the Applicant.
8. Two scenarios have been considered in preparing advice on this application:
 - a. Scenario One considers the value of the land as it is now.
 - b. Scenario Two considers the value of the land, should the land exchange go ahead. This scenario includes any relevant mitigation or offsetting that relates to the land that would be received by DOC, and any positive or negative impacts of inundation, where they relate to that land.

Material Considered

9. In preparing this advice I have reviewed the following documents as part of the land exchange application:
 - i. Tukituki Water Security Limited, Exchange of Land Overview Report. Mitchell Daysh Ltd, 16 March 2026.
 - ii. Ruataniwha Water Storage Scheme Archaeological Assessment, Simon Bickler, Rod Clough and Pat Parsons. May 2013.
 - iii. Data held on ARCHSITE – archaeological site recording scheme.
<https://nzaa-archsite.hub.arcgis.com/>

- iv. Ruataniwha Water Storage Scheme – Conditions. Schedule Nine, Public Access & Offset Mitigation Progress Plan.
 - v. Land Exchange: Invited Comments Response Package - Tukituki Water Security Limited. Mitchell Daysh Ltd, 3 June 2026.
 - vi. Cultural Impact Assessment – Tukituki Water Security Project. Brian Morris, April 2026.
10. I undertook a site visit to the Smedley exchange land (DOC Get Land) on the 16th July 2026.

Summary

- 11. Tukituki Water Security Limited (TWSL) is seeking to construct a dam for water storage purposes and enable regional water security and sustainability on the Makaroro River, Waipawa, Hawke’s Bay. To do so will require approximately 29.7 ha of Public Conservation Land (PCL) so that the resulting reservoir can be established and inundate the areas of PCL bordering the Makaroro River and Dutch Creek tributary. This represents the DOC Give Land.
- 12. In exchange TWSL are proposing 170 ha of Smedley Station land (DOC Get Land), which adjoins the Gwavas Conservation Area (see Figure 1).

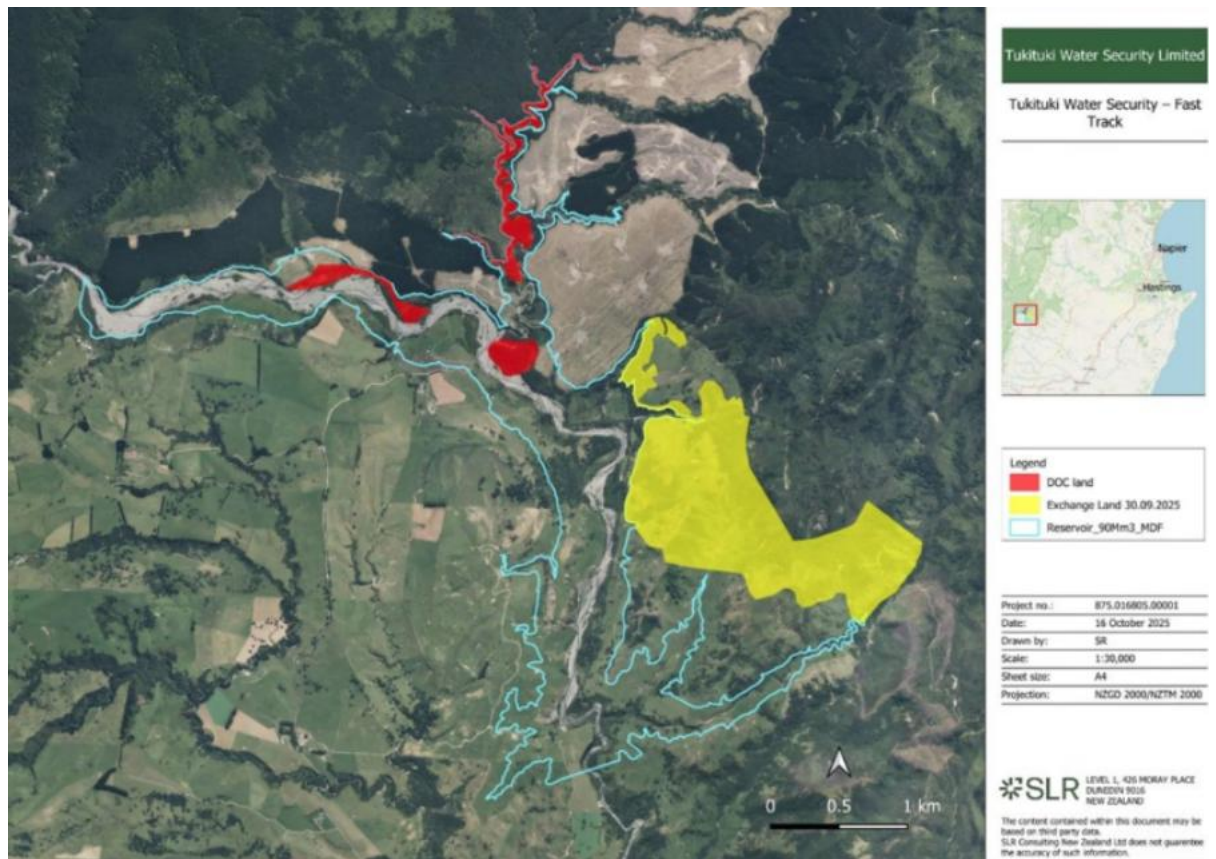


Figure 1 Areas of DOC Give land in red with DOC Get land in yellow (Exchange of Land overview report , Mitchell Daysh)

13. This document provides a technical assessment of the cultural heritage values within the DOC Give and Get land, and the impacts the land exchange process may have on the broader cultural heritage values on PCL.
14. It is important to note that this technical report does not include an assessment of cultural heritage values on other private land impacted by the potential land exchange area (for example the Yeomans Mill site) or on other parts of the proposed water delivery areas.

Key Issues

General

Heritage values - DOC Give Land

15. There are no known or publicly recorded archaeological sites on the 29.7 ha of DOC Give areas of land. There are also no known DOC managed or maintained cultural heritage sites that postdate 1900, that could be considered directly impacted by a land exchange. This concurs with the findings of the 2013 archaeological assessment.
16. This does not mean however that there are no areas of cultural heritage value in the land exchange areas, and the potential for unrecorded sites remain. The

cultural impacts assessment (Morris 2026) identifies that information and cultural knowledge held by iwi for the area has the potential for unrecorded sites and places associated with intangible cultural values or areas that can be considered Waahi Tapu.

17. DOC Land identified as Parcel A, (figure 2, page 9 TWSL – DOC Land Exchange Overview report – March 2026) has the potential of having remnant forestry infrastructure associated with the Yeomans Mill given its location between the mill and Yeomans track, which was used to remove timber during the mill’s operation. This area should be investigated to determine if remnant heritage fabric relating to the forestry history of the site remains.

Heritage Values – DOC Get Land

18. Smedley Station operates as a Cadet training farm utilising land that was owned by Josiah Howard into the early 20th Century. This land was bestowed to the Crown in 1919, which then passed the Howard Estate Act 1978, with the purpose being that the land be held by the Public Trust in trust for the Crown as a permanent endowment for the purposes of agricultural education¹.
19. There are no recorded archaeological sites or post-1900 built heritage assets located on the exchange land. This may well be through a lack of thorough field work and research in the area to establish if any cultural heritage features exist.
20. This does not mean however that there are no areas of cultural heritage value in the DOC Get land area, and the potential for unrecorded sites remain. The cultural impacts assessment (Morris 2026) identifies that information and cultural knowledge held by iwi for the area has the potential for unrecorded sites and places associated with intangible cultural values or areas that can be considered Waahi Tapu.
21. The DOC Get land can be considered to have cultural heritage values by way of its long and continued history associated with Agriculture and Agricultural training in New Zealand. The land being offered retains typical farming infrastructure associated with present day farming techniques. This includes the grazed land, fences and other farming infrastructure associated with Smedley Station over the time of its existence as a farm.

Future development of the DOC Give and DOC Get land

22. What has not been considered in the application information is the impact on heritage values outside the land exchange area on PCL. Of particular concern is the loss of easy access to Ellis Hut and Yeomans Track.

¹ [Howard Estate Act 1978 | New Zealand Legislation](#)

23. Yeomans Track includes numerous heritage features relating to logging and timber extraction in the area. Ellis (Murderers) Hut is a very significant heritage hut dating back to 1884, making it the oldest surviving hut in the Ruahine Forest Park area. It is popular with day walkers, hunters and offers a unique overnight hut experience, being a short walk from the Wakarara road-end carpark.
24. Should visitation become hampered or lost then this could have an impact on nearby heritage values. Ellis Hut is a DOC actively conserved heritage place and a New Zealand Archaeological Association archaeological site (Site number U21/13). It has recently been restored and is regularly maintained, telling an important story around the early backcountry pastoralism of the area and as a hideout for a suspected murderer in the early 1900s.
25. Heritage sites with limited access and a reduced use can result in an overall decline in the condition and integrity of the place.
26. From a cultural heritage perspective, the Smedley Station (DOC Get land) would require the retention of grazed pasture, fencing, and other farming infrastructure in order to maintain and interpret its agricultural heritage values. This could involve considerable ongoing management costs.

Overall assessment

27. My overall assessment of the cultural heritage values on the DOC Give and Get sites using the Department of Conservation's Significance Assessment Criteria for cultural heritage is shown in Table 1.

Table 1: Overall assessment of Cultural Heritage Values

	Scenario one	Scenario Two
Overall cultural heritage ranking for DOC Give site	Low/Medium	Low/Medium
Overall cultural heritage ranking for DOC Get sites	Medium	Medium

28. The values of the DOC-Give and DOC-Get areas are assessed in further detail in Table 2, below.

Table 2: Comparative reporting of criteria assessment ²

Cultural Heritage Criterion	PCL Ranking	DOC GIVE Comment	Land offered Ranking	DOC GET Comment
Aesthetic significance or value <i>The place has, or includes, aesthetic qualities that are considered to be especially pleasing, particularly beautiful, or overwhelming to the senses, eliciting an emotional response. These qualities are demonstrably valued, either by an existing community or the general public, to the extent that they could be expected to experience a sense of loss if the qualities which evoke the aesthetic value were no longer there.</i>	L	There are no there are no written records held by DOC, local authority district plans, HNZPT or the NZAA relating to cultural heritage sites with aesthetic values on the DOC Give site, the aesthetic values are considered low.	L	There are no known archaeological sites on the DOC Get land. Although the DOC Get area itself has been a long standing training farm, aesthetically it is not significantly different from other similar farms and thus the aesthetic values remain low in both scenarios
Archaeological significance or value <i>The place provides, or is demonstrably likely to provide, physical evidence of human activity that could be investigated using archaeological methods. Evidence obtained as a result of an archaeological investigation could be expected to be of significance in answering research questions, or as a new or important source of information about an aspect of New Zealand history.</i>	L	There are no recorded sites (as defined by the HNZPT Act 2014) within the DOC Give site boundaries that provides or is likely to provide physical evidence of human activity and can be investigated using archaeological means. However, archaeological values cannot be completely excluded as there could be areas that have yet to be ground truthed or investigated or are known only by iwi	L	There are no recorded sites (as defined by the HNZPT Act 2014) within the DOC Get site boundaries that provides or is likely to provide physical evidence of human activity and can be investigated using archaeological means. However, archaeological values cannot be completely excluded as there could be areas that have yet to be ground truthed or investigated or are known only by iwi.

² The values described in the table below are defined in the Department of Conservations Significance Assessment Criteria

Architectural significance or value <i>The place reflects identifiable methods of construction or architectural styles or movements. When compared with other similar examples, or in the view of experts or relevant practitioners, it has characteristics reflecting a significant development in this country's architecture. Alternatively, or in conjunction with this, the place is an important or representative example of architecture associated with a particular region or the wider New Zealand landscape.</i>	L/M	<u>Scenario 1</u> - There are no written records held by DOC, local authority district plans, HNZPT or the NZAA relating to the architectural values on the DOC Give land area. <u>Scenario 2</u> – If access to the actively conserved, Ellis Hut is reduced, the values of the site could be impacted. Although It is acknowledged that the activity won't directly impact Ellis hut, it could impact access and result in decreased use and appreciation of the huts heritage over time. Section 8 of the New Zealand ICOMOS Charter³ states that where “The conservation of a place of cultural heritage value is usually facilitated by the place serving a useful purpose,” and “where the use of a place is integral to its cultural heritage value, that use should be retained.” Any loss of access and use to this site will have a direct impact on the heritage condition of the Hut itself, potentially leading to decline in condition.	L	There are no there are no written records held by DOC, local authority district plans, HNZPT or the NZAA relating to the architectural significance within the DOC Get areas.
Cultural significance or value	M/H	Evidence written within the Cultural Impact Assessment outlines how the impact of land	M/H	Evidence written within the Cultural Impact Assessment outlines the

³[New Zealand ICOMOS Charter](#)

<i>The place reflects significant aspects of an identifiable culture and it can be demonstrated that the place is valued by the associated cultural group as an important or representative expression of that culture.</i>		transfer, earthworks and inundation will permanently impact wahi tapu, koiwi as well as other unrecorded sites. Intangible sites such as traditional routes, place names and landscapes may also be compromised. As these values could be on the DOC Give area within this catchment the assessment has been ranked accordingly.		potential for wahi tapu, koiwi as well other unrecorded sites to exist in the exchange area. Intangible sites such as traditional routes, place names and landscapes may also be recorded over these areas. As these values could be on the Smedly block the assessment has been ranked accordingly
Historical significance or value <i>The place contributes towards the understanding of a significant aspect of New Zealand history and has characteristics making it particularly useful for enhancing understanding of this aspect of history, especially when compared to other similar places.</i>	M	There is the potential loss of some remnants of the original Yeomans Mill forestry road as it would have crossed from the stream from the mill and onto one small parcel of DOC Give land. As previously discussed there are other heritage sites that could be impacted by the loss of easy access. These include Ellis Hut and the heritage features associated with forestry on Yeomans Track (part of the Yeomans Mill site).	M	The Smedley station DOC Get land contributes to New Zealand's agricultural history as a well established and highly regarded Cadet Training Farm. The land was gifted to the Crown as a permanent endowment for the purposes of agricultural education. The best Heritage management outcome would be for the land to retain its use as a farm
Scientific significance or value <i>The place includes, or is demonstrably likely to include, fabric expected to be of significance in answering research questions or a new or important source of information about an aspect of New Zealand's cultural or historical past through the use of specified scientific methods of enquiry.</i>	L	There are no known archaeological sites, built heritage features, or other cultural heritage fabric have been identified within the DOC Give area that would currently indicate significant potential for scientific investigation or research. Although unknown archaeological deposits cannot be entirely	L	There are no known archaeological sites, built heritage features, or other cultural heritage fabric have been identified within the DOC Get area that would currently indicate significant potential for scientific investigation or research. Although unknown archaeological deposits cannot be

		ruled out, available information does not suggest a level of scientific value above Low		entirely ruled out, available information does not suggest a level of scientific value above Low
Social significance or value <i>The place has a clearly associated community that developed because of the place, and its special characteristics. The community has demonstrated that it values the place to a significant degree because it brings its members together, and they might be expected to feel a collective sense of loss if they were no longer able to use, see, experience or interact with the place.</i>	L	There are no written records held by DOC, local authority district plans, HNZPT or the NZAA relating to the social heritage values within the DOC Give area.	M	Smedley Station has been operating as a training farm since the 1930s. Graduates of the scheme consider their time spent there and the friends they made as significant. As part of the farming and agricultural community of New Zealand, Smedley graduates are respected highly.
Spiritual significance or value <i>The place is associated with a community or group who value the place for its religious, mystical or sacred meaning, association or symbolism. The community or group regard the place with reverence, veneration and respect, and they might be expected to feel a collective sense of loss if they were no longer able to use, see, experience or interact with the place.</i>	M	There are no there are no written records held by DOC, local authority district plans, HNZPT or the NZAA relating to the religious or spiritual significance of the DOC Give area of land. The Cultural Impact Assessment does outline the likelihood of Wahi tapu sites that could include areas of spiritual significance	M	There are no written records held by DOC / local authority district plans / HNZPT or the NZAA relating to the religious historic heritage values of spiritual significance within the DOC Get areas. The Cultural Impact Assessment does outline the likelihood of Wahi tapu sites that could include areas of spiritual significance
Technological significance or value <i>The place includes physical evidence of a technological advance or method that was widely adopted, particularly innovative, or which made a significant contribution to New</i>	L	There are no written records held by DOC, local authority district plans, HNZPT or the NZAA relating to the technological significance within the DOC Give areas.	L	There are no written records held by DOC, local authority district plans, HNZPT or the NZAA relating to the

<i>Zealand history OR The place reflects significant technical accomplishment in comparison with other similar examples, or in the view of experts or practitioners in the field, and has characteristics making the place particularly able to contribute towards our understanding of this technology.</i>				technological values of the DOC get areas
Traditional significance or value <i>The place reflects a tradition that has been passed down by a community or culture for a long period, usually generations and especially since before living memory, and has characteristics reflecting important or representative aspects of this tradition to a significant extent.</i>	M/H	Evidence written within the Cultural Impact Assessment outlines the potential for wahi tapu, koiwi as well as recorded and unrecorded sites to exist in the exchange area. Intangible sites such as traditional routes, place names and landscapes may also be recorded over these areas. This could result in loss under scenario 2.	M/H	Evidence written within the Cultural Impact Assessment outlines the potential for wahi tapu, koiwi as well as recorded and unrecorded sites to exist in the exchange area. Intangible sites such as traditional routes, place names and landscapes may also be recorded over these areas.