

Kathryn Bayliss

9(2)(a)

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My comments on the draft report on land exchange proposal for the Tukituki Water Security project by the Department of Conservation under the Fast-track Approvals Act 2024:

I am disappointed that the DoC Director-General's draft report on the land exchange has under-assessed the DOC Public Conservation Land and has underestimated its values. Much of the Technical advice to DOC was based on conjecture and not on recent evidence.

With Wildlands the only people reporting for DOC visiting the PCL in the 2025 - 2026 (and then only Dutch Creek) there are uninformed opinions on some important aspects of the PCL which are absent from reports. Only Dutch Creek was visited separately by DOC's ecological experts on 1 September 2026.

DOC experts observed and reported on some of the SEB more. As the three PCL blocks could not be accessed due to high river flows more visits should be taken when the PCL is accessible and more time taken to report on it.

Much of the indigenous, native environments and forests cannot be seen and assessed by drone imagery alone. On the ground visits are also important to see and assess smaller plants, fungi and lichens and fauna, including birds, insects and other invertebrates, lizards, bats etc.

Also without surveying or consulting local people DOC does not know peoples use of the DOC Public Conservation Land - PCL and cultural and heritage associations with the DOC PCL.

I don't agree that the DOC exchange land is referred as DOC-

give land and DOC-Get land. It gives the false impression that it's what is wanted by DOC or a foregone conclusion.

Keep to DOC Public Conservation Land - PCL (Makaroro River Block - Area A, Dutch Creek - Areas B - E and Makaroro Island - Area F) (or Karearea Island as it is known and used by local people) and Smedley Exchange Block - SEB. Use the same name descriptions for all the reports.

Also the I don't agree having the picture of the Smedley Land are on the cover of the Landscape Assessment Report and Draft Report on Land Exchange. Again it gives the false impression that it's what is wanted and is a foregone conclusion. It would be better to have an attractive picture of the Existing DOC land, maybe the unique oxbow wetland on Dutch Creek or the red mistletoe or native birds of the area. Too much focus is on the Smedley Exchange land and not the valuable DOC land which would be destroyed if exchanged. The PCL was considered worth conserving so was included in The Ruahine Forest Park. This is still the case.

Recreation.

I disagree with the rating given to the DOC PCL. Obviously local people have not been consulted and my earlier comments not read, remembered or taken into consideration. I have given pictures showing the unofficial, informal campsite on the DOC exchange - Area A land. that is used for camping, picnics and enjoying being out in nature. The map is from a book "Ruahine Forest Park - a guide to family walks, tramping tracks and routes" by Kathy Ombler. A friend sent me the photos with the campsite circled in yellow and red. It is a glade in the DOC land and forest beside the Makaroro River.

It is a good camping spot for people and families who might not want or be able to walk higher up to huts in the Ruahine

Ranges but enjoy the outdoor experience. It is also a good introduction for families with young children to learn about our native environments. No recreational facilities adds to the enjoyment and learning experience of being outdoors in NZ's natural environments.

I disagree with the rating given for Use level for PCL / anticipated use level for PCL.

I would rate it the PCL as medium / high. There being no facilities provided on the PCL is a positive for some people. The Makaroro River crossing from the Wakarara Road end is in part of the river that is crossable for a good part of the year. (It usually flows swift and shallow.) It adds to the experience and enjoyment. It enables access to all the PCL blocks.

It is untrue that use of the PCL is likely to be incidental to other activities in the area.

People often visit and use the Makaroro River and DOC PCL wanted for the Tukituki Water Security Project.

Since the Tukituki Water Security Project has resurrected the threat of the Makaroro Dam and reservoir and destruction of the DOC land, the Wise Water Use Group and other people have spent much time advocating for the protection of this area. The Wise Water Use Group have meetings, have an active Facebook page and website and have numerous visits to the Makaroro river and DOC owned areas. This has lead to new and renewed friendships.

People use this DOC land wanted for the exchange, and undertake for recreational activities such as picnicking, exploring the forest, and swimming, photographing and videoing. The Wise Water Use Group have organised hikoi (visits) where they invited members of the public and community. People of many ages still make private trips to it. There is no comparable access to a public river and forest area nestled right in the Ruahine Forest Park bush-line of the

Ruahine Range that you can drive to in CHB. This Makaroro area is unique.

A local artist collects rocks and flora from Makaroro River and area, often by the old Yeoman mill site, to make pigments etc. This year her art was part of a well attended exhibition in the Waipawa Museum, named “Makaroro - Place to Connect.” Most of her work is sold. This DOC land and Makaroro River gives her inspiration for her art.

Some people just go to relax, do forest bathing, enjoy the scenery with water and forest and listen to the birds and insects and the flowing river.

The fact it is not as well advertised and known as other area of the Ruahine Ranges makes it more attractive to some people who go there to get away from the crowds.

Many of us place a high value on this special place.

For the Recreation Values assessment I would upgrade the PCL (DOC-Give):

Social license – for PCL, social license for exchanging away the land - L

Rarity of experience within the region - M/H

Use level (for PCL) - M/H

Level of access (e.g. tracks) L/M

Natural hazard/climate risk L/M

How do any heritage or biodiversity values affect the visitor experience - H

My Overall assessment of recreational values is for the PCL is M/High.

The majority of people do not own boats or watercraft. Also Boat access to the SEB would be affected by fluctuating lake levels.

Cultural and Heritage Values.

Cultural and Heritage Values of the PCL / DOC-give

The associations with William Colenso relate to the PCL / DOC-Give. William Colenso would have passed and seen the PCL Area A and Makaroro Island - Area F.

Significant features of the Makaroro often overlooked is its associations with William Colenso. William Colenso was the first European to enter the Ruahine Range. He was the first pakeha to cross the Ruahine Ranges and used the Makaroro route eight times.

Excerpt from "An Account of Visits to, And Crossings over, The Ruahine Mountain Range, Hawke's Bay, New Zealand; and of the Natural History of that Region — by W. Colenso. February 1845:

At 3 p.m. we reached the junction of this river with the river Makaroro, and proceeded up the stony bed of the latter until 6 p.m., when, it being nearly dark where we were, we halted for the night in the bed of the river...

I was gratified in finding several new and interesting plants on the banks of this river...

Early the next morning we resumed our journey, as before keeping in the bed of the river, and every now and then wading its cold stream from side to side, so as to escape the prostrate trees, and drift wood, and boulders, and to have a little easier walking..."

A number of tracks were utilised by the people of Heretaunga Tamatea in times of peace and war to cross from one side of the Ruahine Range to the other. One was known as Te Atua-o-Mahuru. From the western side it ran from Te Awarua and came out on the eastern side at the headwaters of the Mākaroro River and followed the River down to the Ruataniwha Plains.

There is no Social licence for loss of this existing public conservation area. There will be no social licence for the acquisition of the SEB land which would always be a reminder of the time and effort put in trying to prevent the destruction of this Makaroro area.

Under the Cultural Heritage Criterion I would upgrade some on the values for the PCL (DOC-Give land

Aesthetic significance or value M-H

Cultural significance or value M-H

Historical significance or value H

Scientific significance or value M-H

Social significance or value H

Spiritual significance or value H.

Overall Cultural and Heritage Values M-H.

I disagree with the spiritual significance for the SEB. I consider it low for both Scenarios.

Ref. 138.

Regarding cultural heritage values, I disagree with Mr Nester findings that the DOC Give land, PCL has low cultural heritage values and the DOC-Get, SEB land to have Low/Medium values in both Scenario One and Two.

There would be no gain in cultural and heritage values as a result from the exchange.

I think the PCL 's Overall Cultural and Heritage Values to be Medium - High. Higher than the SEB.

Landscape character values.

'Landscape Character'

Mr Head made a site visit undertaken over several hours on 16 June 2026 along with five other DOC experts to observe

the SEB. The only visit to the PCL was to Dutch Creek which was visited separately by DOC's ecological experts on 1 September 2026 in favourable conditions.

As the three PCL blocks could not be accessed due to high river flows the DOC experts should have made other visits when the PCL was accessible and more time taken to evaluate the PCL.

All the drone imagery and photos of Smedley Exchange land capture the picturesque views with native plants but not all the farmland that DOC would get. The drone imagery and small photos of the DOC land by the applicant are trying to show negative aspects of it and not the best examples. Once again a site visit to the PCL should be undertaken and more photos taken to get a better view of the many good aspects of it. Too much focus is on the Smedley Exchange land and not the high value DOC land, PCL, which would be destroyed if exchanged.

In the Landscape Assessment by J. Head, on page 21 & 22, he states Island Block appears to be inaccessible.

This is totally incorrect. The Makaroro Island - Area F (or Karearea Island as some local people call it) is accessible by crossing the Makaroro River from the Wakarara Road (natural right) side, as with the other DoC land, PCL parcels.

The Makaroro River crossing from the Wakarara Road end is in part of the river that is crossable for a good part of the year. (It usually flows swift and shallow.)

I disagree with the Criteria 'Landscape Character' for the PCL.

I would:

Upgrade the SNA block - Area A, Landscape and Waterways Values - M/H and Combined Value to M/H.

For the Makaroro Island Block, Area F, upgrade the Landscape value to H and the Combined Value to H.
Dutch Creek Landscape and Waterways Values - H.

Natural Hazard / Climate risk

Ref. 5.4 Legal and financial liabilities and health and safety risks (cl 26(1)(d))

There is a fault-line and Fault Avoidance Area on the SEB. In the Central Hawke's Bay district Plan the proposed Makaroro Dam and Reservoir is in a fault avoidance zone. The report by Tonkin & Taylor February 2011 rated the active faulting of the Makaroro Reservoir as "High" (on a scale Minor, Moderate, High, and Severe for seriousness of issues and risks).

Earthquakes make both these fault-lines a risk to the SEB. Scientists say there is 26% chance of a magnitude 8 or larger earthquake occurring on the southern portion of the Hikurangi Subduction Zone, including Hawke's Bay, beneath the lower North Island, within the next 50 years. The Hikurangi Subduction Zone has an 1 in 4 chance of a magnitude 8 earthquake in the next fifty years.

Earthquakes can also be caused or affected by dams and water reservoirs.

Landslides would also be a greater risk in the SEB.

In Scenario Two a major risk from the dam and water reservoir to the Smedley Exchange land is another high rainfall event or earthquake which could cause an influx of sediment and plants or a landslide into the reservoir causing it to overflow onto the Smedley Exchange land.

Droughts could affect the survival rate of newly established vegetation. Smaller wetlands and waterways could have a greater chance of drying up.

High winds especially on exposed area of the SEB are another

risk.

Forest fires will also be a higher risk to the SEB. This risk could increase as it would be more exposed to high winds and dryness.

5.5 Statements of General Policy

5.5.1 Conservation General Policy 2019

The following from the Conservation General Policy 2019 should also be included in the report:

"6 (c) Land disposal may be considered where the legislation to which it is subject allows for disposal and the land has no, or very low, conservation values."

This is not the case with the DOC PCL. It has medium to high conservation values.

"6 (d) Subject to policy 6 (c), land disposal should not be undertaken where the land in question either:

- i. has international, national or regional significance; or
- ii. is important for the survival of any threatened indigenous species; or
- iii. represents a habitat or ecosystem that is under-represented in public conservation lands or has the potential to be restored to improve the representation of habitats or ecosystems that are under-represented in public conservation lands; or
- iv. improves the natural functioning or integrity of places; or
- v. improves the amenity or utility of places; or
- vi. improves the natural linkages between places; or
- vii. secures practical walking access to public conservation lands and waters, rivers, lakes or the coast."

The DOC PCL has all the above in 6 (d) i. - vii.

8. Comments received

8.1 Comments on the Application.

The DoC Director-General's draft report gives a false impression that there is more support for than opposed to the land exchange. All the respondents who clearly stated their stance should be stated under headings of "Support for the land exchange" (not respondents who just support the TWSP and water security.) and "Opposition to the land exchange" This would give an easier quicker overall assessment of the Support and Opposition for the land exchange.

Ref. 247. Page 53.

"The Minister for the Environment notes broad support for projects which deliver positive outcomes for New Zealand, including improving water security, while protecting and preserving our natural environment."

It is misleading to not include the following comments made by the Minister for the Environment who also wrote:

"On the material currently available, it is not yet clear that the proposed land exchange will meet the FTAA requirement to deliver conservation enhancement overall...."

"The SEB land does not appear to offer clear ecological advantages over the DOC land, apart from its larger area. On the material before the Panel, the assessment does not yet clearly demonstrate a net ecological gain."

These comments should be included and the Minister for the Environment should not be included under the heading Support for the land exchange"

ref 251.

"Parliamentary Commissioner for the Environment considered, based on the applicant's information, that the proposed land exchange 'appeared' reasonable and likely beneficial from a conservation perspective, noting that the applicant appeared to have followed DOC guidance for conservation values assessments."

He also had some pertinent questions and comments about it that showed he was not completely sure.

Ref. 19. and note 10. DoC Director-General's draft report .
If the land exchange is approved improvements and pest plants and animal pest control on the SEB should be done and paid for by TWSL for 30 years.

My Conclusion.

I think the land exchange should be declined.

Most of the criteria and values are better on the DOC Public Conservation Land.

I consider the Department of Conservation exchange land wanted by Tukituki Water Security Limited to be much higher value, (in Biodiversity values, Freshwater values, Recreational values and Cultural and heritage values), than the Smedley Exchange Block.

Many people treasure the Department of Conservation exchange land wanted by Tukituki Water Security Limited more than they do the Smedley Exchange Block.

The existing DOC land wanted for the exchange and Makaroro River already forms a buffer and corridor to the Ruahine Forest Park. It is smaller in size so is easier to manage and look after.

If the land exchange proceeds it would negate the many years of unpaid time, effort, and donations by many people to try to save and protect the Department of Conservation's Makaroro

Conservation land, waterbodies and environment wanted for the Tukituki Water Security Project.

The Department of Conservation's reputation will be damaged if the land exchange proceeds. It could impact peoples willingness to work for and help the Department of Conservation in future.

Deforestation could damaged New Zealand's international reputation and exports.

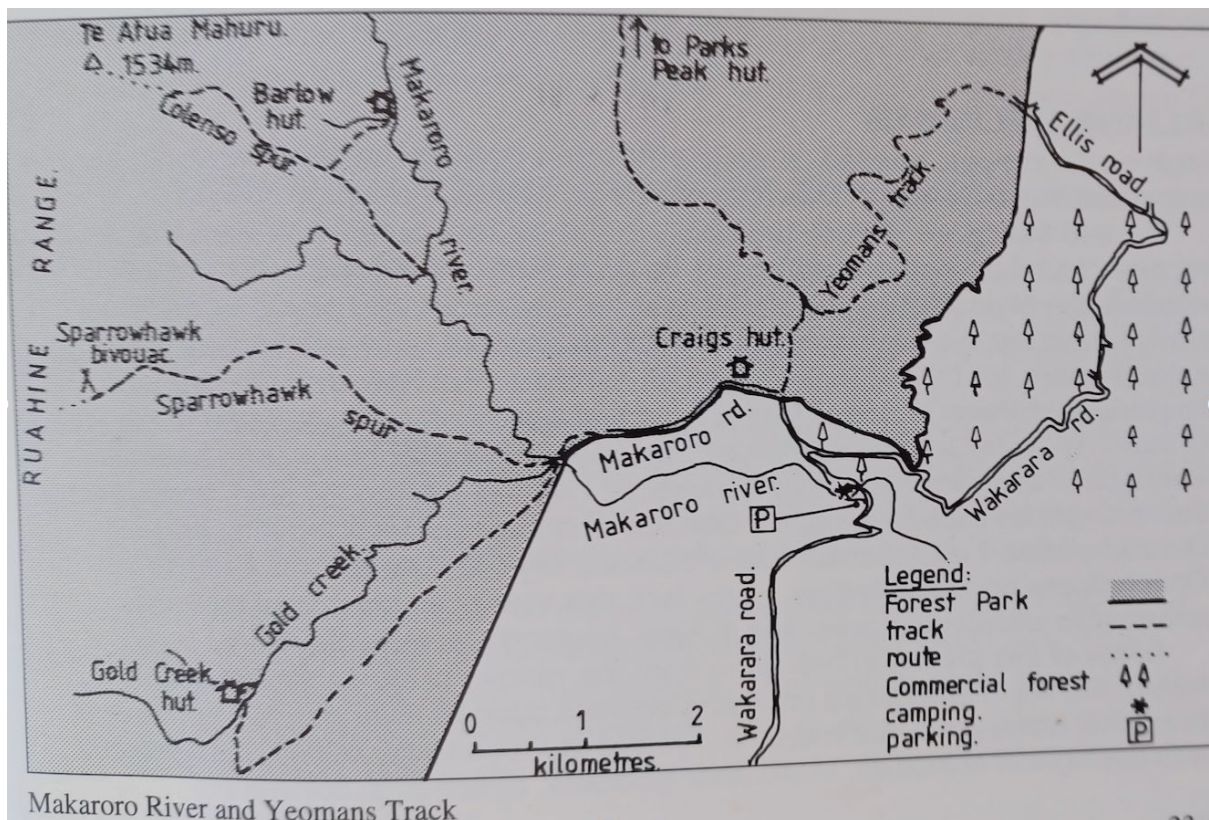
I oppose the land exchange.

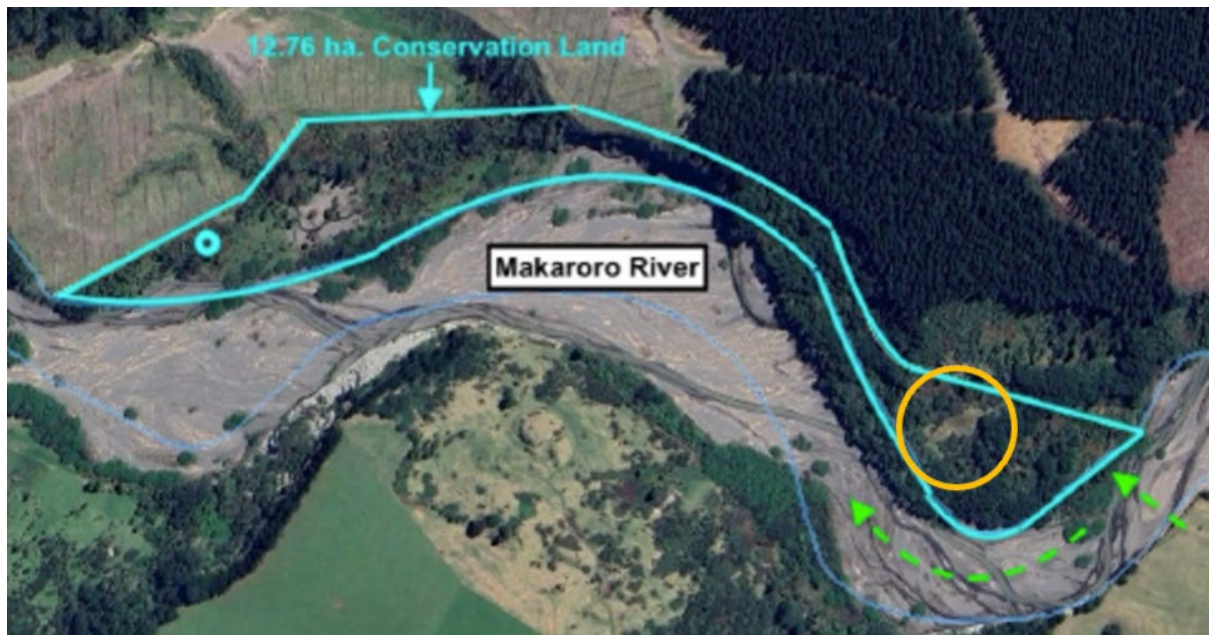
In addition to my written comments I have included 4 photos to be viewed.

K Bayliss attachments

Notes: "These are two maps showing the unofficial campsite on DOC exchange land that is sometimes used. The map is from a book "Ruahine Forest Park - a guide to family walks, tramping tracks and routes" by Kathy Ombler. This campsite is where the star is, near the P. on the other side of the Makaroro River.

A friend sent me the drone image with the campsite circled in yellow. It is a glade in the DOC land and forest beside the Makaroro River."





Notes: “Another photo. It was taken on Saturday, 15 August 2026 at the Mākāroro River as part of the National Day of Action across the country opposing the Conservation Amendment Bill. The DOC PCL, Makaroro Block, Area A, land for the land exchange is in the background.

There was also a joint action group at the mouth of the Tukituki River at Haumoana.”



Notes: "Another picture of the campsite on the DOC land beside of the Makaroro River. A friend sent me the photo with the campsite circled in red. It is a glade in the DOC land and forest beside the Makaroro River."



Notes: “Further evidence that many people have connections to and attachments on the DOC Public Conservation Land - PCL and waters. Many people place high values on it. The photo was taken on Saturday, 15 August 2026. (The same day as the other photo taken at the Mākāroro with the PCL in the background.) This was a joint group at the mouth of the Tukituki River at Haumoana.”

