

**BEFORE AN EXPERT PANEL
TEKAPO POWER SCHEME**

FTAA-2503-1035

Under the **FAST-TRACK APPROVALS ACT 2024**

In the matter **of an application for replacement resource consents in
relation to the Tekapo Power Scheme**

By **GENESIS ENERGY LIMITED**
Applicant

By **ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW
ZEALAND INCORPORATED**
Invited Party

SUPPLEMENTARY STATEMENT OF EVIDENCE OF RACHEL KATHERINE MCCLELLAN

FRESHWATER BIRDS

29 September 2025

Royal Forest and Bird Protection Society of New Zealand

Solicitor Acting:
T C T Williams
Email: [REDACTED]
Phone: [REDACTED]

Counsel:
P D Anderson
Email: [REDACTED]
Phone: [REDACTED]

Introduction

1. My full name is Rachel Katherine McClellan. I prepared a brief of evidence for the Royal Forest and Bird Protection Society Inc (Forest and Bird), dated 25 August 2025.
2. I have been asked by Forest and Bird to provide supplementary expert evidence in response to the memorandum from Christina Robb, comprising her review of the IBEP, dated 25 September 2025.
3. My qualifications are as per my first brief of evidence dated 25 August 2025.
4. In preparing this statement of evidence I have also considered the following documents:
 - a. Evidence of Dr Jean Jack on avifauna on behalf of Canterbury Regional Council (Consent Authority) for the Environment Court case for replacement resource consents for the operation of the existing Waitaki Power Scheme, dated 29 August 2025 (ENV-2024-WLG-000060).

Code of Conduct

5. I understand that this is not a hearing under the Resource Management Act, however, I note that I have read the code of conduct for expert witnesses contained in the Environment Court's Practice Note 2023 (the Code). I have complied with the Code when preparing this written statement of evidence. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Unless I state otherwise, this evidence is within my sphere of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Comments on memorandum

6. I understand that Ms Robb was asked to provide advice on the success of Project River Recovery in delivering ecological gains and whether Kahu Ora will deliver significant ecological improvements. I provide comments on her findings as set out in her memorandum.
7. There is no doubt that Project River Recovery has delivered documented ecological gains, as Ms Robb states.
8. In my opinion, however, predator control for braided river birds in the alpine Tasman River is not commensurate with the loss of the mid catchment Pūkaki and Ōhau rivers, the major reduction in flow in the Takapō, and the ongoing loss of braided river bird habitats in the Waitaki River, the largest braided river in New Zealand. The rivers also support different bird communities; for example, very small numbers of tarāpuka | black-billed gulls breed in the Tasman River (often less than 100),

compared to populations of several thousand gulls in lowland rivers, including the Waitaki River.

9. Ms Robb highlights the ‘transparency’ (though she doesn’t use this word) of Project River Recovery, noting the availability of strategic and annual plans online, including annual expenditure. However, her first example – the external review of Project River Recovery which was apparently undertaken prior to development of the most recent Strategic Plan – is not available online.
10. This strategic plan reports that “In early 2020, science advice was sought to consider any changes to strategic focus and research priorities for this interim plan and some aspects of this advice have been incorporated into the plan”. This advice is not referenced and does not specifically state that it was independent. The only external review that I am aware of was undertaken by Landcare Research in 2012¹ and is also not available online.
11. Ms Robb uses Zone 2 (mid-catchment) river bird values as an example of the level of detail in Kahu Ora, stating that “Kahu Ora provides tangible and measurable outcomes and clarity on what will be measured”. I disagree.
12. As Ms Robb sets out, the 35-year vision for Zone 2 is *“Stable and growing populations of some threatened species of indigenous flora and fauna are supported by suppressing predators and browsers at high value sites”*. The vision is very broad and does not specify what species, or how many species, or which sites. It could be argued for braided river birds that the Tern Island (Ōhau River) and Tasman River predator control programmes satisfy the requirements of this vision, and that the status quo therefore provides sufficient compensation for birds for ongoing impacts on four braided rivers. In my opinion, it is far from sufficient.
13. The outcomes for Zone 2 – *“Indigenous river bird values protected by maintaining low densities of karoro across 3 rivers, and maintaining 1 and establishing 8 islands to support bird nesting through the Upper Ōhau and Takapō Rivers respectively”* – are more specific but still leave multiple questions unanswered. For example, what and how many species, and what does ‘Protected’ mean? Stable? Increasing?
14. Importantly, what happens if karoro control and the creation of nesting islands do not “protect” river bird values? Ms Robb does not address my concern that nesting islands in the Takapō River may be unlikely to protect nesting birds given very low existing flows which inevitably make the islands vulnerable to terrestrial predator incursions.

¹ Innes J. and Saunders A. 2012: A mid-term evaluation of PRR, October 2012. Landcare Research Contract Report.

15. Ms Robb does not think outcomes should be more specific, such as “a specified percentage increase in bird populations” as this is unrealistic given bird species may be affected by a suite of factors (for example, factors that impact species at non-breeding sites). In contrast, Dr Jean Jack, avifauna scientist (ECan, evidence dated 29 August 2025) has recommended “clear and measurable outcomes for targeted taxa” and provides an example: *“From Year 1 of monitoring, the annual index of breeding black-fronted tern (Chlidonias albobristatus) pairs on the Ōhau River, measured by the approved method, shall show no statistically significant negative trend ($p < 0.05$) over any consecutive 10-year monitoring period. A negative trend triggers Condition X, Clause X adaptive management requirements.”*
16. In my opinion Dr Jack’s recommendation is generally workable. At present, the Tern Island and Tasman River programmes are not producing increasing population trends for all key bird species; tarāpirohe | black-fronted terns are declining on the Ōhau despite 15 years of intensive predator control at Tern Island, hybrid kakī | black stilt are declining in the Tasman, and ngutu pare | wrybill are only maintaining a stable population in the Tasman despite 20 years of predator control and high levels of nesting success. The obvious next step – which should be part of Kahu Ora’s remit – is to implement focused research to investigate why existing management is not achieving desired outcomes. This could form part of relevant conditions, that is, research is an action triggered by a significant decline or lack of improvement.



Rachel McClellan
29 September 2025