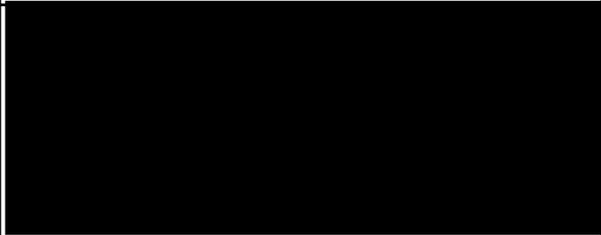


Date	10 February 2026
To	Jon Bright, Project Director – Waitaha Hydro Scheme Westpower Ltd
From:	John McLennan, peer reviewer of <i>Appendix 22: Whio Report</i> ¹
Project advice provided for	<i>Waitaha Hydro Scheme</i>
Documents referred to	<i>Waitaha Hydro Scheme Substantive Application Appendix 22 Whio report</i>
Qualifications	Appendix A
Code of Conduct	As an expert witness I have read, and I am familiar with, the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. This statement has been prepared in compliance with that Code. In particular, unless I state otherwise, this response is within my area of expertise and I have not omitted to consider material facts that might alter or detract from the opinions I express.
Signature	

1. I have reviewed the comments and evidence prepared by Paul Morgan and Jon Tunnicliffe in the peer review reports for the panel considering the Waitaha Hydro Application. I address the questions or concerns raised as follows:
2. Mr Morgan identifies potential egress of long-finned eel into the upper Waitaha following weir installation and water abstraction at the head of Morgan Gorge. This has no potential consequences for whio living upstream of Morgan Gorge. The two species coexist in many river systems in the North and South islands and have done so for millennia. Indeed it is uncommon for whio to live in the absence of eels, but certain environments are not suited to both.

¹ [Appendix-22-Whio-report.pdf](#)

3. The changes in sediment deposition above and below Morgan Gorge following scheme implementation and their potential effects on who were considered by Overmars (2025) and described as minor for who immediately upstream of the weir and minor positive for who below the weir.
4. In my opinion, I consider the concerns raised by Jon Tunnicliffe in relation to probable sedimentation changes have already been adequately identified and considered by Overmars in the AEE. I do not think Overmars has overlooked or underestimated any matters that might necessitate a re-evaluation of probable effects.
5. I hold this opinion because I think Overmars correctly identified that:
 - a) during floods, the weir will not affect the frequency of ponding in the lower reaches of Kiwi Flat, but it may increase the extent to which ponding extends upstream;
 - b) the changes in patterns of sedimentation deposition and removal immediately above the weir will occur in an area that is already dynamic and subject to extreme disturbance;
 - c) this area is part of the territory of one pair of who, but appears not to be a preferred feeding area, probably because it is subject to such extreme and frequent episodes of sedimentation deposition and removal; and
 - d) the majority of the Waitaha who population, which live more than a kilometre upstream of the proposed weir and intake, will continue to be unaffected by sediment changes near Morgan Gorge;
6. I also consider that Overmars correctly assessed the potential effects of scheme implementation on who beneath the weir and intake as minor because:
 - a) reduced flows will potentially increase the availability of feeding areas for who within Morgan Gorge itself and in the abstraction reach below it ;
 - b) that these reduced flows will not, however, significantly improve the quality of the habitat for who in the abstraction reach because the invertebrate communities there will continue to be defined and regulated by floods.
7. In summary, I consider Overmars correctly assessed the scheme's probable effects on who. His conclusion – that significant effects will be

limited to the pair immediately alongside the proposed weir and intake - takes into account all of the scheme's effects, including those resulting from sedimentation changes and sediment management. Dr Tunnicliffe's assertion that the scheme's "operational regime is inconsistent with the habitat requirements of whio" is therefore likely to be true for one pair, but not for the Waitaha whio population as a whole.

Dr John McLennan

Appendix A: Qualifications and Experience

1. I am a self-employed ecologist and have been for the past 19 years. Between 1973 and 2007 I worked as a scientist for DSIR and Landcare Research New Zealand Ltd. I have a Bachelor of Agricultural Science degree with first class honours from Lincoln University and a Ph.D in Zoology from Aberdeen University. I was awarded the Queen's Service Medal in 2004 for services to conservation.
2. I spent most of my scientific career studying predation impacts on native birds, particularly kiwi. I was the Department of Conservation's Kiwi Recovery Group external scientific advisor from 1990 to 2008 and helped write various Kiwi Recovery Plans. I have published extensively on matters relating to kiwi ecology, predation impacts, and kiwi conservation.
3. As a self-employed consultant, I have provided advice on ecological matters to various companies, government departments, city councils, conservation trusts, and private individuals. Much of my work has been on the West Coast of the South Island for coal mining and energy companies. I am also the Managing Director of a small company (Pestproof Fences Ltd) that builds fences to protect wildlife from predators.
4. I am familiar with the lower Waitaha catchment and the footprint of the proposed Waitaha hydro scheme. I assessed the abundance of introduced mammals in the scheme area in 2007 and documented the findings in two reports (McLennan, 2007a and 2007b). I contributed to the whoio monitoring programme while on site and co-wrote a report with Fred Overmars on whoio abundance and habitat use in the scheme area in 2010 (Overmars and McLennan, 2010). I also peer-reviewed the report prepared by Fred Overmars in 2025, assessing the potential effects of the proposed scheme on whoio (Overmars, 2025).

Appendix B: References

1. Overmars, F. and McLennan, J. 2010: Blue duck (whio) population, habitat use and predators, Waitaha River (Year 1 Report) proposed Waitaha hydro-electricity scheme. Prepared for Mitton Electronet Ltd, Christchurch, 17 May 2010.
2. Overmars, F. 2025: Proposed Waitaha hydro scheme, assessment of environmental effects, whio blue duck (*Hymenolaimus malacorhynchos*). July 2025. Prepared for Westpower Ltd by Sustainability Solutions, July 2025.
3. McLennan, J.A. 2007a: Small mammal survey, lower Waitaha catchment, January 2007. Environmental Services Ltd, Havelock North. Prepared for Sustainability Solutions, Christchurch.
4. McLennan, J.A. 2007b: Small mammal survey, lower Waitaha catchment, May 2007. Environmental Services Ltd, Havelock North. Prepared for Sustainability Solutions, Christchurch.