Addendum to Statement of Advice

Under:	Fast-track Approvals Act 2024
In the matter of:	FTAA-2603-1178 – Alternative to the Brynderwyn Hills Project (Brynderwyn Hills section)
Addendum to Statement of advice dated 11.08.2026 of:	Amber McEwan
Date:	20.10.2026

Introduction

1. My full name is Dr Amber McEwan.

2. This is an Addendum to my Statement of Advice to the Director-General of Conservation on the Alternative to the Brynderwyn Hills Project (Brynderwyn Hills section) dated 11.08.2026.

3. This Addendum addresses the following material provided by the Applicant, after the application was suspended by the Applicant on 11.08.2026:

    a. A2BH – Ecological Effects Mitigation Table (28 August 2026)

    b. Proposed Amendments to Mitigation Package Since Lodgement (9 October 2026)

    c. Aquatic Survey Information Maps, dated and provided on 7 October 2026

Code of conduct

4. 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.

Significant uncertainty remains regarding basic values and effects

5. On 7 October 2026, the Applicant provided the Aquatic Survey Information Maps (7 October 2026), that contained clearer information regarding which stream reaches will potentially be affected by spoil, as well as clarification of proposed culvert and diversion locations. eDNA sites are still not labelled according to (consistent) site names, sampling round, or replication.

6. I have not been afforded sufficient time to examine each affected reach according to the new information, but I provide the following example to demonstrate that significant uncertainty still remains regarding basic values and effects, and that the conclusions and recommendations from my original evidence have not changed.

7. **Pine/Piroa mid:** 'Pine mid' is mentioned in Table 8 of the FWAEE as an eDNA site. Tables 10 and 11 describe the values of this site (which are collected from a single site downstream of the affected reaches, and the substandard eDNA replication is not likely to accurately represent the species present upstream). Table 12 notes that 1,200 m of the 'Pine mid tributary' will be 'affected', and Table 15 describes the effects on this tributary as 330 m culverted and 880 m 'realigned in spoil'. From the new maps (snip from sheet 3 copied below as Fig. 1), I can see that the 330 m of culvert is likely made up of 2 separate culverts (black lines that cross the alignment). It could be 3 culverts however, and the third symbol is just obscured on this map compared to Maps 17 and 18 in the FWAEE (which show 3 green lines with circles– which are not identified but I have assumed that these lines indicate culverts). It looks like the stream length that is subject to spoil dumping (blue hatched areas) is significantly greater than 880 m (based on the map scale bar), but I note that this could be due to the applicant not including ephemeral reaches (or it could be an error).

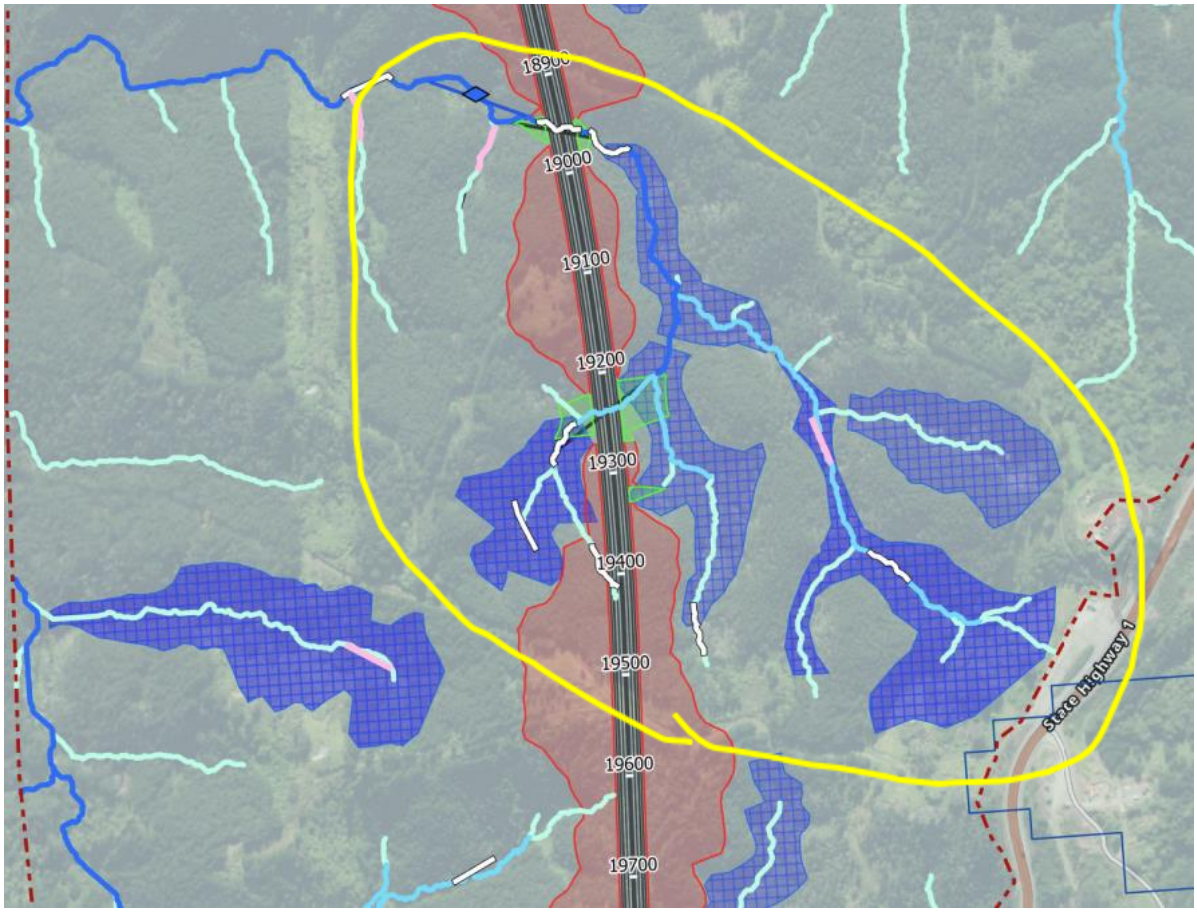

Figure 1. I have zoomed in and snipped this out from the Aquatic Survey Information Maps (7 October 2026) in order to show detail. This means that the map scale is not visible here, but I assume that the 100m intervals shown along the indicative alignment shows 100 m intervals.

8. Page 43 of the FWAEE states: *"There is no habitat above the Pine mid tributary"* (I'm assuming that this means 'above the pine mid/piroa mid eDNA sampling site'. But Page 45 states: *"With respect to the Pine mid tributary most of the upstream habitat is removed by spoil for the Project and is ephemeral and intermittent in the main."* The latter understates the amount of perennial stream proposed to be buried in spoil (potentially 300-400 m based on the maps). The former is either an error, or 'no habitat' is actually referring to a possible future state (i.e. the habitat will be buried in spoil as part of the proposed activities) – I am unsure which.

9. Page 50 of the FWAEE mentions dewatering in relation to this site:

   "At Pine Mid the modelling predicts moderate drawdown over around 300m of the perennial stream and around 300m of largely intermittent headwater. The drawdown may mean the perennial section moves more towards intermittency and the intermittent upper reaches become closer to ephemeral channel."

10. But the hydrology report (Figure 4 snipped below and labelled here as Fig. 2) indicates that some of these headwaters are subject to high and very high baseflow reduction. I am uncertain whether the discrepancy is due to error (in which case the hydrology report is likely more reliable) or inclusion/exclusion of stream classifications based on the FWAEE assessment methods.

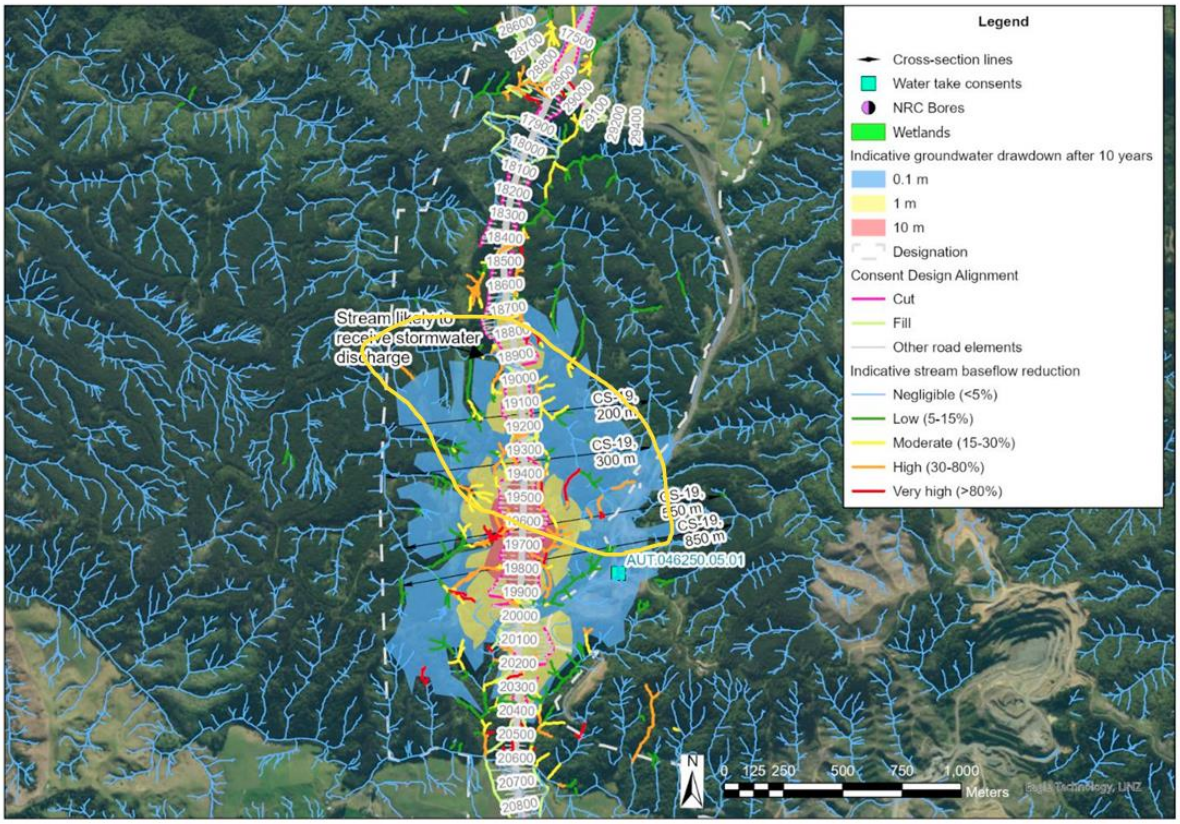

Figure 4: Effects from road cut Dewatering at CS-18,800 m to CS-20,400 m

Figure 2: Snip of Figure 4 from the hydrology report" showing indicative baseflow reductions. Yellow circle added to indicate location of reaches associated with the 'pine/piroa trib' sample site.

11. On 28.08.2026, the Applicant signalled (via the A2BH – Ecological Effects Mitigation Table (28 August 2026)) that they now intend for permanent culverts to be designed to provide fish passage (although the applicant's 'Proposed Amendments to Mitigation Package Since Lodgement, 9 October 2026' does not include this measure). It is not clear however, whether the latter applies to culverts where the applicant has previously signalled that they consider fish passage to not be required – which, based on section 4.2.6 – 4.2.7 of the FWAEE appears to be all except 5 of them (collectively, the maps seem to indicate approximately 40 proposed culverts). The reaches associated with the pine mid/piroa mid site (i.e. that are circled in yellow in the above figure) are

described in this section of the FWAEE as not requiring fish passage because there is 'no habitat' upstream.

12. I am unsure whether the applicant intends to provide fish passage through these culverts, I am not confident that the upstream habitat has been described accurately, and I am uncertain of whether or not there will be fish habitat upstream of these culverts in future (based on the applicant proposing to realign streams in spoil but not being clear if this applies to these reaches, or how potential baseflow reductions may affect decision making in this context).

13. Overall, I now have greater certainty of the activities that are proposed in relation to the reaches associated with the 'pine mid/piroa mid' sampling site – the entire catchment above the eDNA sampling site will be either culverted or buried in spoil. I would consider such loss of habitat to be an effect of very high magnitude at the scale of the affected reaches. I still have limited certainty regarding the values that would be affected by these activities (and thus the overall level of effects), and very little certainty regarding how the applicant proposes to manage these effects.

Comments on the applicant's proposed conditions

14. My comments on the proposed conditions are unchanged from my previous evidence, with the exception of a minor comment regarding RC32. The 13.07.2026 version of the proposed conditions specified that the Waihoihoi mainstem must be either bridged, realigned, or culverted. The applicant's subsequent A2BH – Ecological Effects Mitigation Table (28 August 2026indicates that the Waihoihoi mainstem must be either bridged or realigned. I take this opportunity to note that a bridge would most likely have lesser ecological effects than a realignment but also reiterate my original comment that specific conditions related to structures should be developed once reliable conclusions have been reached regarding values and effects.