

BEFORE THE OTAGO REGIONAL COUNCIL

AT DUNEDIN

KI ŌTEPOTI

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the proposed Otago Regional Policy Statement
2021 (excluding those parts determined to be a
Freshwater Planning Instrument)

**Memorandum for the Director-General of Conservation Tumuaki Ahurei
seeking extension of time to file expert evidence of Dr Hendrik Schultz**

Dated 22 November 2022

Department of Conservation Te Papa Atawhai

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May it please the Hearing Commissioners,

The following matters are respectfully put forward on behalf of the Director-General of Conservation Tumuaki Ahurei (the Director-General):

1. Following the Commissioners' third minute,¹ expert witnesses for the Director-General have been preparing their evidence in accordance with the amended timetable to be ready to file by 23 November 2022.
2. One of the Director-General's witnesses is Dr Hendrik Schultz, a marine biologist who is providing expert evidence on the coastal marine area.
3. Dr Schultz had pre-arranged travel to the Chatham Islands for fieldwork and research and was to be away from 7 – 21 November inclusive. Nevertheless, Dr Schultz had planned to write his evidence allowing for this fieldwork, with the bulk of evidence written before he left the mainland and intending to work on revisions to his evidence while in the Chathams.
4. Unfortunately, at some point while en route to the Chathams Dr Schultz contracted Covid-19 and he has been both too unwell to consider his evidence and had to isolate without access to a computer connection.
5. Dr Schultz returned to mainland New Zealand last night, 21 November 2022, and is now substantially behind where he would like to be. He is also still recovering from a serious case of Covid-19.
6. In these circumstances, I seek an extension to file Dr Schultz's evidence by midday Monday 28 November 2022.
7. I confirm that the Director-General's other expert witnesses (terrestrial ecology, freshwater ecology, biodiversity offsets and planning) have seen sufficient of Dr Schultz's evidence to be able to complete their evidence, and this will be filed in accordance with the amended timetable tomorrow, 23 November 2022.
8. I look forward to hearing from the Commissioners about Dr Schultz's evidence.



P D Williams, Counsel for the Director-General

¹ RPS Hearing Panel Minute 3 – Decision of hearing commissioners on request for amendment to evidence timetable 27 October 2022