



**MAY IT PLEASE THE HEARING PANEL:**

1. The hearing in this matter has been set down from 5<sup>th</sup> to 9<sup>th</sup> February 2024.
2. A critical issue in determining the application will be an assessment of effects on Tāiko / Westland Petrel.
3. In order to assist the Panel in their deliberations, the Director General of Conservation proposes to call Kate Simister to give evidence about Tāiko. Ms Simister is a national expert on Tāiko.
4. Ms Simister will be able to circulate her written evidence on or before 26<sup>th</sup> January 2024, as directed by Minute No. 2, dated 23<sup>rd</sup> November 2023.
5. Other submitters propose to rely upon the evidence given by the Department of Conservation in respect of Tāiko.
6. However, as indicated previously, Ms Simister is not available to appear before the Panel during 1<sup>st</sup> – 16<sup>th</sup> February (inclusive), as she is working in a remote part of New Zealand on field work. Ms Simister has checked with the base where she will be stationed and there is no possibility of establishing AVL coverage at the field site.
7. In paragraph 6.8 of Minute No. 2, dated 23<sup>rd</sup> November 2023, the Chairperson helpfully suggested that the Panel would be flexible if reasonably necessary, to accommodate the Department's witness.
8. Accordingly, the Director General now requests the Panel to please consider allowing Ms Simister to appear before and to be questioned by the Panel, on a date after the 16<sup>th</sup> February 2024. Ms Simister will have returned to the West Coast by that time and can appear in person or via AVL, as best suits the Panel.



Ceri Warnock

Counsel for the Director General

28<sup>th</sup> November 2023