

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 26 to the Operative Waipā
District Plan

**MEMORANDUM OF COUNSEL FOR WAIPĀ DISTRICT COUNCIL REGARDING
DIRECTION #17 (NPS-IB)
Dated 18 July 2023**

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Introduction

1. This memorandum of counsel for Waipā District Council (**Council**) is lodged in response to Direction #17 of the Independent Hearing Panel (**Panel**) in relation to Plan Change 26 to the Operative Waipā District Plan (**PC26**).
2. Direction #17 records the release and anticipated gazettal of the National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**). As the Panel has not yet released its recommendations on the Waikato IPIs, the Panel will need to take the NPS-IB into account in formulating its recommendations.
3. Paragraph 5 of Direction #17 proposes that, in respect of PC26, if parties consider further evidence or submissions are required to address the NPS-IB, it may be that this could be accommodated within the time set aside for the remaining financial contributions portion of the hearing in September.

Proposed approach

4. The Council agrees that it is appropriate for the NPS-IB to be addressed at the reconvened hearing in September 2023, and considers that any further evidence and submissions from the parties can be accommodated within the existing timetable for the reconvened hearing (recently confirmed in Direction #16). In particular, the Council will address the NPS-IB in its section 42A report to be lodged with the Hearing Co-ordinator by 28 July 2023.

Signed this 18th day of July 2023



W J Embling
Counsel for Waipā District Council