

**BEFORE THE HEARING PANEL**

**IN THE MATTER** of the Resource Management Act 1991 (RMA)

**AND**

**IN THE MATTER** of Proposed Plan Change 9 to the Operative Hamilton  
City District Plan

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**MEMORANDUM OF COUNSEL ON BEHALF OF MARY LEE BURTON  
(SUBMISSION #270) IN RESPONSE TO DIRECTION #9  
19 July 2023**

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**MAY IT PLEASE THE COMMISSIONERS**

- 1 This memorandum is made on behalf of Mary Lee Burton (**Ms Burton**), a submitter on Plan Change 9 in relation to Significant Natural Areas (submission #270).
- 2 The purpose of this memorandum is to respond to Direction #9 of the Panel which seeks submitter comments on the process in relation to the imminent gazettal of the National Policy Statement on Indigenous Biodiversity (**NPSIB**).
- 3 Legal submissions were made on behalf of Ms Burton at the hearing on the NPSIB.
- 4 Our preferred process is that Hamilton City Council first outline how the NPSIB should be addressed in relation to Plan Change 9 and then provide an opportunity for submitters to comment on its approach.

Dated: 19 July 2023

A handwritten signature in blue ink, appearing to read 'T M Fletcher', is written over a light blue rectangular background.

T M Fletcher

Counsel for the Submitter