

Memorandum

To: James Witham – Team Leader – District Plan

From: Kenton Baxter – Policy Planner

Date: 15 September 2026

Subject: **CORRECTIONS TO FAR NORTH PROPOSED DISTRICT PLAN PURSUANT TO CLAUSE 16 (2), FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991**

1. PURPOSE

To amend the Far North Proposed District Plan (PDP), correcting minor errors through clause 16 (2) of the Resource Management Act 1991 (the Act).

2. CONTEXT

The Proposed District Plan (PDP) has progressed through the submission and hearing processes and is now at the appeals version stage. As the PDP has been developed, further integrated, and progressed through these processes, a number of minor errors and matters requiring correction have been identified.

Clause 16(2) of Schedule 1 to the Act enables Council to make amendments to the PDP, without using the process set out in Schedule 1, to alter any information where such an alteration is of minor effect or to correct any minor errors. Council is not required to notify changes made under clause 16(2).

Pursuant to section 34 of the Act, Council has delegated its power under clause 16(2) to the Manager – Resource Consents, General Manager Planning and Policy, Team Leader – District Plan, Senior Policy Planners and Policy Planners to make amendments to correct minor errors in the PDP, provided the rights of members of the public are not affected, either prejudicially or beneficially.

To consider correcting any errors, case law establishes that the test in determining whether an amendment is authorised by clause 16 (2) is ‘does the amendment affect (prejudicially or beneficially) the rights of some members of the public, or is it neutral?’ Only if it is neutral is an amendment permitted by clause 16 (2).

3. VIEWS OF THOSE AFFECTED/CONSULTATION

- **Views of those affected** – No party is considered to be affected.
- **Consultation** – Given that the proposed amendments will have no more than a minor effect, no consultation has occurred.
- **Māori implications** – There are no implications on Māori.

4. AMENDMENTS

In accordance with clause 16(2) of the First Schedule of the Resource Management Act 1991, James Witham – Team Leader District Plan, has exercised Council’s delegations to determine minor changes required to the PDP, as set out in Appendix 1 (attached).

Kenton Baxter
Policy Planner

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Approved by James Witham – Team Leader District Plan

Table 1:

The following minor corrections have been made to the Far North Proposed District Plan in accordance with Clause 16(2), Schedule 1, of the Resource Management Act 1991.

Deletions are shown as ~~strike through~~ and additions as underline.

Table 1: Clause 16(2) amendments to be captured in Hearing Panel recommended decisions on the PDP				
Chapter	Provision / Section	Description of Amendment	Reason for Amendment	Correction
Mapping	Designations	Updated the NZTA designation mapping for State Highways to correct minor spatial errors arising from recent cadastral boundary updates undertaken by LINZ.	To ensure the NZTA State Highway designations accurately reflect current cadastral boundaries and resolve minor mapping inconsistencies identified following LINZ updates.	Mapping amendment
Heritage Area Overlays	HA-S1	Amend the wording so that, where it relates to the 75m setback from road boundaries, it specifically refers to Te Ahu Ahu Road and Showgrounds Road, rather than Te Ahu Ahu Showgrounds.	Minor correction to reflect the intent of this part of the standard which relates to road boundary setbacks.	2....any construction of buildings, or additions and alterations to buildings, shall be setback 75m from the road boundaries of State Highway 1, and Waikaramu <u>Road, Te Ahu Ahu Road and Showgrounds Road, and from the Te Ahu Ahu Showgrounds.</u>
Mixed Use Zone	MUZ-R4	Amend the note under MUZ-R4 to clarify that PER-1 does not apply to detached minor residential units established in accordance with the National Environmental Standards for Detached Minor Residential Units (NES-DMRU).	Revised interpretation of the NES-DMRU has identified that PER-1 should not apply to detached minor residential units established in accordance with the NES-DMRU.	NOTE: PER-1 and PER-3 <u>also applies</u> to a detached minor residential unit established in accordance with the NES-DMRU.