Memorandum

To:	James Witham – Team Leader – District Plan
From:	Sarah Trinder – Senior Policy Planner
Date:	5 November 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 a minor error 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 minor error has 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).

Sarah Trinder
Senior Policy Planner



Approved by James Witham – Team Leader District Plan

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

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	Mapping	Amend the PDP planning maps to include overhead 33kV electricity lines within the Critical Electricity Lines Overlay, consistent with the Hearings Panel recommendations.	The Critical Electricity Lines (CEL) Overlay was intended to identify both the 110kV and 33kV electricity lines within the district. The 33kV lines were not shown on the notified PDP maps due to a GIS mapping issue. The notified PDP did, however, contain the associated CEL provisions within the Infrastructure and Subdivision chapters. **Following notification, Top Energy lodged submission point S483.188 specifically requesting that the 33kV lines be included in the PDP. This provided scope through the Schedule 1 process for the inclusion of the 33kV lines to be considered by the Hearings Panel. Council subsequently identified affected landowners and notified them of the relief sought and their opportunity to make a further submission.** The matter was considered through Hearing 11. The Independent Hearings Panel accepted that Council's intention	Amend the mapped Critical Electricity overlay to include overhead 33kv lines

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**
			had been to include both the 110kV and 33kV lines in the CEL Overlay and determined that both met the relevant definition of regionally significant infrastructure. **The Panel considered the appropriateness of mapping the CELs and expressly recommended that both the 110kV and 33kV lines be included in the PDP.** In implementing the Hearings Panel's recommendations, the 33kV lines were inadvertently omitted from the mapping for the Decisions Version of the PDP, and this omission subsequently carried through to the Appeals Version. The 33kV lines should therefore have been added to the CEL Overlay to implement the Panel's recommendation. The mapping correction is limited to overhead 33kV lines, consistent with the definition and application of the CEL Overlay and associated provisions, which apply to overhead electricity infrastructure. Amending the planning maps to include the overhead 33kV lines therefore corrects the omission that occurred when the Hearings Panel recommendations were implemented	

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**
			and ensures the mapping accurately reflects the intended application of the CEL provisions. **The amendment gives effect to a planning outcome that was within the scope of the submissions and expressly considered and recommended by the Hearings Panel.** It does not introduce a new planning outcome and is therefore a minor correction within the scope of clause 16(2) of Schedule 1 to the RMA.	
Natural Features and Landscapes	NFL-R2	Amend NFL-R2 PER-1(10) by inserting the words "in width" after "3.5m", to clarify that the maximum permitted indigenous vegetation clearance for the construction of a new fence is measured by width. Also deleting the "or" as it is duplicated.	To correct minor error. The amendment corrects an ambiguity in NFL-R2 PER-1(10) by clarifying that the permitted 3.5m clearance associated with the construction of a new fence is measured in width. The amendment does not alter the extent of clearance intended to be permitted by the rule. The amendment is therefore a minor correction that does not change the substantive effect of the provision.	10. for the construction of a new fence where the purpose of the new fence is to exclude stock and/or pests from the area of indigenous vegetation provided that the clearance does not exceed 3.5m **in width**; ~~**or**~~
Ecosystems and indigenous biodiversity	IB-R1	Amend IB-R1(4) by replacing "and" with "or" between the references to biosecurity reasons and the control of unwanted	To correct minor drafting errors. Replacing "and" with "or" clarifies that clearance necessary for biosecurity reasons and clearance to control	4. Clearance for the control of pests when necessary for biosecurity reasons **or** ~~**and**~~ to control unwanted organisms as a response to directions of a person authorised under the Biosecurity Act 1993;

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**
		organisms. Amend IB-R1(5) by deleting "(customary medicine)" after "rongoā Māori".	unwanted organisms in response to an authorised direction are alternative circumstances, rather than cumulative requirements. Deleting "(customary medicine)" removes unnecessary explanatory wording on the defined term "rongoā", ensuring the term is read in accordance with the Plan's definition. The amendments are minor corrections to reflect the intent of the provisions.	5. The sustainable non-commercial harvest of plant material for rongoā Māori ~~**(customary medicine)**~~;