

Memorandum

To: James Witham – Team Leader – District Plan

From: Kenton Baxter – Policy Planner

Date: 30 June 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

As the PDP has been developed, further integrated, and moved through the submission phases, errors have been identified. Clause 16 (2) of Schedule 1 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. In summary, Council is not required to notify changes satisfying 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 any minor errors to 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

A handwritten signature in blue ink, appearing to read 'Kenton Baxter', is written over a faint, light blue circular stamp or watermark.

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 ~~strikethrough~~ 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
Schedules	Schedule 2: Schedule of Historic Sites, Buildings and Objects	Correction of details associated with heritage item 205	Amendments to these details does not affect the heritage item listing other than improving the accuracy of the associated information.	Site Location - SH12, Ōmāpere <u>288 Hokianga Harbour Drive (State Highway 12), Ōmāpere</u> Site name - House (former Crombie's Hotel) <u>Martin House (Former)</u> Legal Description - Flat 9 DP 97253 Omapere South B Blk (RTs NA53A/531, NA53A/539), North Auckland Land District
Mapping	N/A	Correction of heritage item (242 Waikare Community Church) location	Minor mapping amendment to fix error.	Mapping amendment
Abbreviations	Abbreviations	Adding 'SLUR' (Selected Land-use Register) to the abbreviations as it is used in the Contaminated Land chapter	Minor amendment for consistency through the plan.	<u>SLUR Selected Land-Use Register</u>
Mapping	N/A	Align zoning with property boundaries	Minor mapping amendments to fix errors and for consistency through the plan.	Mapping amendments
All Chapters	Where relevant	Removal of reference to 'Ngawha precinct' and updated with 'Ngawha Innovation and Enterprise Park zone'	Minor amendments to fix errors and for consistency through the plan.	'Ngawha precinct' to <u>'Ngawha Innovation and Enterprise Park zone'</u>

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<u>Chapter</u>	<u>Provision / Section</u>	<u>Description of Amendment</u>	<u>Reason for Amendment</u>	<u>Correction</u>						
Designations	CNZ- Chorus New Zealand Limited Peria Exchange – CNZ21	Amend to correct the designation purpose and the site identifier.	Minor amendments to fix errors.	Designation purpose as above Telecommunications and Radio Communications and Ancillary Purposes Site identifier Telecommunications and Radio Communications and Ancillary Purposes Pt Lot 6, DP25959, Blk II Maungataniwha, 278 sqm						
Definition	N/A	Definition for ‘Recreation activity’ was removed from the plan when the term was recommended to be changed to ‘Sport and Active recreation activity’, however some chapters still referred to ‘recreation activity’ so it should also be included.	Minor amendments to fix error and for consistency through the plan.	RECREATION ACTIVITY means the use of land, water bodies and/or buildings for the purpose of the active or passive enjoyment of organised sports (excluding motorsport), recreation or leisure, whether competitive or non-competitive, and whether a charge is made for admission or not.						
Infrastructure	I-O7 I-O8 I-O9 I-P16 I-P17 I-P18 I-P19 I-P20 I-P21	Delete the titles of the new objectives and policies associated with the Land Drainage provisions.	To achieve the same intent (as per Council resolution on decisions from 11 June meeting), while achieving consistency with plan structure and format.	INF-O7 X Land Drainage Infrastructure... INF-O8 Y Operation and Maintenance... INF-O9 Z Integrated Catchment Management... INF-P16 X Recognise Land Drainage Infrastructure... INF-P17 Y Operation and Maintenance... INF-P18 Z Adverse Effects on Land Drainage Infrastructure... INF-P19 AA Compatible Development... INF-P20 AB Integrated Catchment Management... INF-P21 AC Catchment Flows...						
Infrastructure	I-R15	Minor amendments for consistency with wider plan provisions.	To achieve the same rule intent (as per Council resolution on decisions from 11 June meeting), while achieving compliance with national planning standards, and consistency with plan structure and format.	<table border="1"> <tr> <td>INF-R15 X</td> <td>Buildings, Structures and Vegetation Adjacent to Land Drainage Channels</td> </tr> <tr> <td>All zones</td> <td>Activity status: Permitted Where: PER-1 Buildings, structures and vegetation are</td> </tr> <tr> <td></td> <td>Activity status where compliance not achieved with PER-1: is not achieved: Restricted Discretionary</td> </tr> </table>	INF-R15 X	Buildings, Structures and Vegetation Adjacent to Land Drainage Channels	All zones	Activity status: Permitted Where: PER-1 Buildings, structures and vegetation are		Activity status where compliance not achieved with PER-1: is not achieved : Restricted Discretionary
INF-R15 X	Buildings, Structures and Vegetation Adjacent to Land Drainage Channels									
All zones	Activity status: Permitted Where: PER-1 Buildings, structures and vegetation are									
	Activity status where compliance not achieved with PER-1: is not achieved : Restricted Discretionary									

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					located at least 10 metres from a mapped land drainage channel.	...
Infrastructure	I-R18	Amendments to separate subdivision and earthworks rules into their respective chapters, along with other minor amendments for consistency and clarity.	To achieve the same rule intent (as per Council resolution on decisions from 11 June meeting), while achieving compliance with national planning standards, and consistency with plan structure and format.	INF-R18 ✓	Activities Affecting a mapped Land Drainage Area of Benefit Scheme Catchments	
				<u>All zones</u>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 Subdivision, earthworks, Buildings, structures, vegetation clearance, or Buildings, structures, vegetation clearance, or activities within a mapped Land Drainage Area of Benefit that may obstruct, divert or attenuate catchment flows or adversely affect the operation of a land drainage scheme.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Effects on the operation and maintenance of land drainage infrastructure. Effects on catchment flows and drainage capacity. 	<p>Activity status when compliance not achieved: Not applicable</p>

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
				<ol style="list-style-type: none"> 3. Effects on flood risk and the conveyance function of the land drainage scheme. 4. Effects on adjoining properties and the wider catchment. 5. Measures to avoid, remedy or mitigate adverse effects. 6. The adequacy of proposed measures to maintain drainage function. 7. The extent to which the proposal supports the efficient and effective operation of the wider land drainage scheme. <p><u>Note: Other rules within the Earthworks and Subdivision chapters may also apply where activities are proposed within a mapped Land Drainage Area of Benefit.</u></p>
Infrastructure	Note 6	Consequential amendments to note 6 to reflect the addition of land drainage provisions to the Infrastructure chapter.	To achieve the same rule intent (as per Council resolution on decisions from 11 June meeting), while achieving consistency with plan structure and format.	The rules in this Chapter are primarily specific to network utility operators except as the provisions relate to Amateur radio operators, and the provisions managing buildings, structures and vegetation planting within the National Grid Yard and Critical Electricity Lines Overlay (I-R11, I-R12, I-R13) <u>and provisions managing buildings, structures, vegetation and other activities in relation to mapped land drainage channels and mapped Land Drainage Areas of Benefit.</u>

Table 1: Clause 16(2) amendments to be captured in Hearing Panel recommended decisions on the PDP

<u>Chapter</u>	<u>Provision / Section</u>	<u>Description of Amendment</u>	<u>Reason for Amendment</u>	<u>Correction</u>		
Earthworks	EW-R4	Amendments to separate land drainage earthworks rule into the respective chapter.	To achieve the same rule intent (as per Council resolution on decisions from 11 June meeting), while achieving compliance with national planning standards, and consistency with plan structure and format.	<u>EW-R4</u>	<u>Earthworks Affecting a mapped Land Drainage Area of Benefit</u>	
				<u>All zones</u>	<u>Activity status: Restricted discretionary</u> <u>Where:</u> <u>RDIS-1</u> <u>Earthworks are within a mapped Land Drainage Area of Benefit that may obstruct, divert or attenuate catchment flows or adversely affect the operation of a land drainage scheme.</u> <u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> <u>1. Effects on the operation and maintenance of land drainage infrastructure.</u> <u>2. Effects on catchment flows and drainage capacity.</u> <u>3. Effects on flood risk and the conveyance function of the land drainage scheme.</u> <u>4. Effects on adjoining</u> 	<u>Activity status when compliance not achieved:</u> <u>Not applicable</u>

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					<p><u>properties and the wider catchment.</u></p> <p>5. <u>Measures to avoid, remedy or mitigate adverse effects.</u></p> <p>6. <u>The adequacy of proposed measures to maintain drainage function.</u></p> <p>7. <u>The extent to which the proposal supports the efficient and effective operation of the wider land drainage scheme.</u></p>	
Subdivision	SUB-R16	Amendments to separate land drainage subdivision rule into the respective chapter.	To achieve the same rule intent (as per Council resolution on decisions from 11 June meeting), while achieving compliance with national planning standards, and consistency with plan structure and format.	<u>SUB-R16</u>	<u>Subdivision of land within a mapped Land Drainage Area of Benefit</u>	
				<u>All zones</u>	<p><u>Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u></p> <p>1. <u>Subdivision of land is within a mapped Land Drainage Area of Benefit; and</u></p> <p>2. <u>The subdivision of land may obstruct, divert or attenuate catchment flows or adversely affect the operation of a land drainage scheme.</u></p> <p><u>Matters of discretion are restricted to:</u></p>	<p><u>Activity status when compliance not achieved: Not applicable</u></p>

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
				<ol style="list-style-type: none"> 1. <u>Effects on the operation and maintenance of land drainage infrastructure.</u> 2. <u>Effects on catchment flows and drainage capacity.</u> 3. <u>Effects on flood risk and the conveyance function of the land drainage scheme.</u> 4. <u>Effects on adjoining properties and the wider catchment.</u> 5. <u>Measures to avoid, remedy or mitigate adverse effects.</u> 6. <u>The adequacy of proposed measures to maintain drainage function.</u> 7. <u>The extent to which the proposal supports the efficient and effective operation of the wider land drainage scheme.</u> <p><u>Note: This rule only applies where the subdivision of land may obstruct, divert or attenuate catchment flows or adversely affect the operation of a land</u></p>

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				drainage scheme. Technical advice from a stormwater engineer may be required to confirm whether this rule applies.
Subdivision	Note	Updating numbering within this note to accommodate the additional land drainage subdivision rule.	To achieve the same rule intent (as per Council resolution on decisions from 11 June meeting), while achieving consistency with plan structure and format.	Note: Rules SUB-R8 – SUB-R 2322 are specific rules relating to subdivision of land in the district wide, natural environment values, historical and cultural values and hazard and risks sections of the plan and apply in addition to SUB-R1 – SUB-R7.
Tangata Whenua	Overview	Update the percentage of Māori in the district to use the most up to date statistic from the 2023 Census.	To improve accuracy and to ensure the Overview section of the Tangata Whenua chapter is up to date	Māori make up more than 40% 52% of the district's population
Tangata Whenua	Iwi and Hapū Planning Documents	Update the Iwi and Hapū Planning Documents section to include the reviewed Ngāti Hine Plan and the new Patukeha Plan.	To improve accuracy and to ensure the Iwi and Hapū Planning Documents section of the Tangata Whenua chapter is up to date.	Iwi and Hapū Planning Documents The following Iwi and Hapū in the Far North District have lodged environmental management plans with the Council. These plans outline the cultural, spiritual, historical and traditional associations with each of their rohe and the broad issues for the Iwi and Hapū. <ul style="list-style-type: none"> • Ngāti Kurī Environmental Management Plan • NgaiTakoto Environmental Plan • Ahipara Takiwā Management Plan • Haititaimarangai Marae Hapū Development Plan • Te Rūnanga o Whaingaroa Environmental Management Plan • Ngāti Rēhia Hapū Environmental Management Plan • Ngāti Torehina Hapū Environmental Management Plan • Kororāreka Marae Society Hapū Environmental Management Plan • Ngāti Kuta ki Te Rawhiti Environmental Management Plan • Ngāti Hine Iwi Environmental Management Plan • <u>Ngā Tikanga mo te Taiao o Ngāti Hine 2022</u> • Ngātiwai Environmental Policy Document

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				<ul style="list-style-type: none"> • Ngāti Rangī Hapū Management Plan • Ngā Hapū o Te Wahapū o Te Hokianga nui a Kupe Hapū Environmental Management Plan • Te Roroa Iwi Environmental Policy Document • <u>Te Rūnanga o Patukeha Hapū Environmental Management Plan 2024</u>
Tangata Whenua	Relationship Agreements	Update the Relationship Agreements section to include the new Mana Ōrite agreement with Te Rūnanga o Whaingaroa.	To improve accuracy and to ensure the Relationship Agreements section of the Tangata Whenua chapter is up to date.	<p>Relationship Agreements Council has formal relationship agreements with Iwi and Hapū, as follows:</p> <ul style="list-style-type: none"> • Te Runanga o Te Rarawa (2015) • Te Runanga o Ngāti Hine (2016) • Te Whiu Hapū (2017) • Whanaungatanga kī Taurangi - Relationship Agreement between Northland Mayoral Forum and Te Kahu o Taonui (Tai Tokerau Iwi Chairs Forum) [2019] • <u>Mana Ōrite Relationship Agreement between Te Rūnanga o Whaingaroa and Te Kaunihera o Te Hiku o te Ika (2025)</u>
Tangata Whenua	Mana Whakahono ā Rohe	Insert a new Mana Whakahono ā rohe (MWāR) section in the Tangata Whenua chapter and add the new MWāR with Ngāpuhi.	To improve accuracy and to ensure there is a Mana Whakahono ā Rohe section of the Tangata Whenua chapter and it is up to date.	<p><u>Mana Whakahono ā Rohe</u></p> <p><u>Council has Mana Whakahone ā Rohe with Iwi and Hapū, as follows:</u></p> <ul style="list-style-type: none"> • <u>Mana Whakahono ā Rohe with Te Rūnanga ā-Iwi o Ngāpuhi (2025)</u>
Designations	RNZL - Radio New Zealand Limited Overview	Additional description of Radio New Zealand’s designations as part of the overview section.	Improves clarity.	<p><u>...Radio New Zealand has two designations for facilities for radiocommunication, telecommunications and ancillary purposes and land uses. The nature of works to be carried out on the two sites generally involve the installation, operation, maintenance, upgrading, replacement and removal of radiocommunication and telecommunication equipment and works and other land use activities incidental to such installation, operation, maintenance, upgrading, replacement and removal.</u></p>

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Designations	RNZL - Radio New Zealand Limited Conditions	Amend numbering of the conditions.	Minor amendments to fix errors.	... c. The requiring authority shall be under no obligation to supply the information specified in Condition b. where any change in frequency and/or power of any existing transmission(s) results from repair or maintenance activities.