

Memorandum

To: James Witham – Team Leader – District Plan

From: Kenton Baxter – Policy Planner

Date: 21 October 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

A handwritten signature in blue ink, consisting of several loops and a long, sweeping underline.

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
Mapping	Mapping	Amend the planning maps to apply the Rural Production Zone to Lots 1 and 2 DP 105517. Two parcels of land at the Intersection of State Highway 1 and Taylors Road, Te Kao.	The two parcels were zoned Rural Production in the Operative District Plan, but the zoning layer was inadvertently omitted from the 2021 Draft District Plan and that omission carried through to the notified, decisions and appeals versions of the PDP. The omission appears to have arisen from the configuration of the adjoining State Highway 1 road parcel, with the two parcels likely having been inadvertently treated as part of the road corridor when the zoning maps were prepared. Although public roads, including state highways, are not coloured on the planning maps, the PDP provides that they remain zoned according to the adjoining land, with different adjoining zones applying to the centreline where relevant. The surrounding land is zoned Rural Production and as a result, the land that is currently not zoned on the planning maps (in error) would be treated as Rural Production Zone consistent with the adjoining land. Applying Rural Production Zoning on the planning maps corrects an inadvertent mapping error. It does not introduce a new planning outcome or alter the rights of landowners either prejudicially or beneficially, and is therefore a minor, neutral correction within the scope of clause 16(2) of Schedule 1 to the RMA.	Mapping amendment to zone Lots 1 & 2 DP 105517 to Rural Production

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
Town Centre Zone	TCZ-S4	Amend the provision TCZ-S4, point 4 so that it reads correctly.	An error was picked up in the drafting of TCZ-S4 that has meant that the provision doesn't read correctly. Making the amendments to this provision does not introduce a new planning outcome or alter the rights of landowners either prejudicially or beneficially, and is therefore a minor, neutral correction within the scope of clause 16(2) of Schedule 1 to the RMA.	Amend the provision TCZ-S4, point 4. To read as follows: Any new building or redevelopment of a building ~~that is~~ must apply a 6 metre setback from the fourth floor and above.