

Memorandum

To: James Witham – Team Leader – District Plan

From: Kenton Baxter – Policy Planner

Date: 7 August 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 Proposed District Plan (PDP) has been developed, further integrated, and moved through the submission phases and now into the Proposed District Plan – Decisions Version (PDP-DV), errors have been identified. Clause 16 (2) of Schedule 1 enables Council to make amendments to the PDP-DV, 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).

Some of the identified errors have arisen through the process of incorporating the Hearing Panel recommendations adopted by Council into the PDP-DV. This includes GIS mapping errors and other implementation errors that occurred when including the adopted recommendations into the plan provisions, schedules and planning maps. The proposed corrections are limited to ensuring the PDP-DV accurately reflects the decisions adopted by Council and do not alter the substantive intent or effect of those decisions.

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-DV, as set out in Appendix 1 (attached).

Kenton Baxter
Policy Planner

A handwritten signature in blue ink, appearing to be 'J Witham', 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 the PDP-DV								
Submission	Summary of Submission	References to relevant documents	Where the error occurred	Chapter	Provision / Section	Description of Amendment	Reason for Amendment	Correction
S209.005	Rural Residential Zone (RRZ) is the most appropriate zoning in the mapped location (refer to the 2nd of the two appendices titled Appendix 1) because: The properties located within this area are consistent with The intended purpose of The RRZ.- PDP mapped extent the RRZ does not follow a logical and defensible boundary- The character and amenity of this area is consistent with	https://www.fn.govt.nz/_data/assets/pdf_file/0029/55865/Recommendation-Report-15D.pdf page 18-23 https://www.fn.govt.nz/_data/assets/pdf_file/0022/56731/RR15D-Appendix-2-Recommended-Amendments-to-Planning-Maps-V2.pdf Page 4 and 5	GIS error occurred on the mapping of the PDP-DV.	Mapping	N/A	Correction of zoning from Rural Production to Rural Residential.	Mapping amendment to fix an error and reflect the intent of the hearing panel recommendations and Council decisions for this site.	Rezoning of all or part of the following properties from Rural Production to Rural Residential. Part of property - Lot 2 DP 356669 - Part Lot 6 DP 25904 - Lot 1 DP 154181 - Part Lot 4 DP 39771 - Lot 1 DP 94555 Entire property - Lot 3 DP 356669 - Lot 1 DP 320207 - Lot 2 DP 320207 - Lot 2 DP 480108 - Lot 1 DP 480108 and Lot 2 DP 372286 - Lot 1 DP 372286 - Lot 2 DP 326837 - Lot 1 DP 326837

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	the PDP zoned land RRZ, enhancing a coherent per-urban pattern and character to Kerikeri - These properties do not fit with the proposed zone criteria of the Horticulture Zone- The proposed Horticulture Zone fails to enable sustainable use and development of the properties within this area.							
NA	NA	See above for links to relevant documents.	GIS amendment consequential to above mapping error of the PDP-DV, as it relates to the following properties: - Part Lot 4 DP 39771 - Lot 1 DP 341881 - Lot 1 DP	Mapping	N/A	Amendment to zoning of the leg-in accesses to all three of these properties from Rural Production Zone to Rural Residential zone.	Further amendment to mapping to remove the split zoning of property accessways to reflect the intent of the hearing panel recommendations and Council decisions for these sites and a more practical allocation of zoning to those accessways.	Partial amendment of extent of zone from Rural Production Zone to Rural Residential Zone for: - Part Lot 4 DP 39771 - Lot 1 DP 341881 - Lot 1 DP 154181

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			154181					
S164.001	The existing plan despite 1B-05 creates a strong disincentive to restoring indigenous ecosystems as current planning will likely result in those areas becoming SNAs with associated restrictive controls. In contrast, where the land is managed to retain and improve pasture, controls on use are minimal. The vision for Tupou is to retain posture and food and wool production on the flatter	https://www.fnz.govt.nz/data/assets/pdf_file/0024/55707/Recommendation-Report-15B.pdf Page 33-36 https://www.fnz.govt.nz/data/assets/pdf_file/0027/55719/RR15B-Appendix-4-Recommended-Amendments-to-Planning-Maps.pdf Page 5	The Hearing Panel recommended that the precinct apply to Tupou; however, a corresponding map was not included in their recommendations. Consequently, an error has occurred whereby a small parcel of land has been inadvertently omitted from the Tupou Precinct.	Mapping	N/A	Correction of spatial extent of the Tupou Precinct to include NA42C/379.	Mapping amendment to fix an error and reflect the intent of the hearing panel recommendations and Council decisions for this site.	Spatial extent of the Tupou Precinct to include title NA42C/379 legally described as Section 13 Block II Whangaroa Survey District and Allotment 33 Whakapaku Parish.

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	better quality soils and return the steep erodible hill country to native ecosystems. These will then be managed as functioning native ecosystems that can generate carbon and biodiversity credits. They will also be used for ecotourism including high end accommodation. Pest animal and weed control is an Integral part of the plan. The native ecosystems planned include forest, wetlands, a lake and							

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	ponds, coastal ecosystems including dunes and cliff faces. Some areas would be left open to retain views and fire breaks. Currently the property has 5 putative SNAs although all are severely compromised with pests (pigs, possums, rats, stoats, rabbits) and weeds (especially pampas). The development we plan will turn up to 700+ hectares into high quality and functioning native ecosystems that could all potentially							

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	have the values associated with an SNA. My submission is that such endeavors and developments need to be "promoted and enabled" (1B-05} in a way that allows ongoing development. Small areas of clearance, erection of buildings and formation of roads and tracks should be permitted activities as long as the basic justification of "net biodiversity gains" is included. Including people in							

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	nature is a clear way to assist nature. The owners have already demonstrated this model under more conventional rules at Tahi (www.tahinz.com). Restrictions on many actions were unreasonable compared with that applied to neighbours who had retained poor quality pasture without weed or pest control. The proposed District Plan has special zones for other major developments such as Corrington and Kauri							

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	Cliffs that make provision for specific development needs. Hastings District Council have included a special zone for nature conservation activities (poorly named as Nature Preservation Zone). A more general zone can act as an option toward 1B-05 that can encourage others to act similarly although it is unlikely that other properties will have the breadth of ecosystems found at Tupou or the							

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	desire to include ecotaurism and accommodati on. Also many will not be able to fund the intensive levels of pest control planned for Tupou. A key issue is that the zoning removes the need to classify the area as an SNA with the associated restrictive controls. Clearance to a certain level is a permitted activity for buildings, roads and tracks. Enhancing accommodati on offerings is a permitted activity Pest control is a							

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	required activity Archaeological and taonga sites for local hapu are not modified. All actions fit under on umbrella of "net biodiversity gain" Other conditions, permissions and requirements will need to be developed but these are best worked through with Council Planners.							
S67.010	I oppose the permitted activity threshold of 15% impermeable surface coverage in the Rural Production zone. The	Recommendation-Report-9.pdf https://www.fnmc.govt.nz/_data/assets/pdf_file/0024/5563/5/RR9-Appendix-2.1-Rural-Production-Recommendation-Report-9.pdf	Section 3.8.2 Hearings Evaluation of Recommendation Report 9 under the section relating to RPROZ-R2 and HZ-R2 - Impermeable surface coverage, the Panel recommends the	Rural Production Zone	RPROZ-R2	Correction of RPROZ-R2 to reflect Panel Recommendation and Council's decision.	Hearing panel recommendation and Council decision is not reflected in RPROZ-R2.	PER-1 The impermeable surface coverage of any site is no more than 15% 10% .

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	impermeable surfaces permitted activity threshold of 15% for Rural Production is excessive and would result in significant adverse effects on stormwater runoff if development were to occur at these levels. A site developed with 15% impermeable surfaces will typically have 20% to 30% higher peak stormwater runoff compared with an undeveloped site, and will result in increased flooding and erosion downstream. As this zone	Zone-Chapter.pdf https://www.fnzc.govt.nz/_data/assets/pdf_file/0021/55641/RR9-Appendix-3.1-Recommended-Decisions-on-Submissions-Rural-Production-Zone.pdf https://www.fnzc.govt.nz/_data/assets/pdf_file/0026/38456/S42A-Report-Writers-Right-of-Reply-Rural-Zones.pdf	following: We find from the evidence that the permitted impermeable surface area on a site should be reduced to better provide for consideration of potential effects. We find a reduction to 10% to be an appropriate response to the submissions and to the advice from our reporting officer. However, this recommendation is not reflected in appendix 2.1 or Appendix 3.1					

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	comprises a large proportion of the District, cumulative adverse effects are also likely to be significant. The 15% permitted activity threshold for the Rural Production zone is inconsistent with the objectives and policies of the zone, for example Rural Production Objective RPROZ-O3 and Policies RPROZ-P2 and P5. The maximum impermeable surfaces permitted activity thresholds in the Rural Production zone should be reduced to 5%.							

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	On a typical 200 ha farm or forestry block, this would allow 10 ha of impermeable surfaces, permitting normal rural buildings, yards, races and roads while minimising cumulative adverse effects. The matters of discretion do not include assessing adverse effects of impermeable surface coverage on the life-supporting capacity of the soil, even highly productive soils, as required by Policies RPROZ P5 and P7. There are no other rules in							

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	the District Plan that protect the life-supporting capacity of the soil and highly productive soils from inappropriate use unless the land is being subdivided.							
S555.01	Amend the zoning of the rear of 11 Greenacres Drive (Section 22 SBRS of Kawakawa) and the adjoining site to the south Section 25 SBRS OF Kawakawa) from Rural Residential to General Residential	Minutes of Extraordinary Council Meeting - Thursday, 11 June 2026 https://infocouncil.fndc.govt.nz/Open/2026/06/CO_20260611_MAT_3082_EXTRA.PDF	The PDP -DV does not reflect the zoning amendment that was accepted as part of Council decisions at the Council meeting 11 June.	Mapping	N/A	A new precinct was added to the Lot but the underlying zone was not correctly updated to General Residential zone.	Incorrect zoning was applied to the property.	Rezoning of Lot 2 DP 614491 from Rural Residential Zone to General Residential Zone.
S183.001	"Insert a new Special Purpose Zone for "The Landing Precinct" under 'Part 3 – Area		Minor errors and consistency issues when transferring the panel recommendations and subsequent Council decisions into the PDP-DV	The Landing Precinct	PREC6-P1	Amendment to correct minor typo in relation to the number of lots which should be 45 instead of 456.	To correct a minor error.	...d. Limiting residential development on The Landing to 456 residential lots...

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	Specific Matters' of the Proposed Plan, including objectives, policies and rules to enable residential activity and buildings as a permitted activity where they are within a residential lot, and enable farming, conservation, recreation and common facilities where they are in accordance with the Landing Scheme as well as other activities appropriate for this locality including farming and							

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	other Rural Production activities. Insert appropriate permitted activity standards, including but not limited to the following: i. The dwelling shall be located on a residential lot; ii. Maximum height = 12m above existing ground level; iii. Building or structure coverage = 12.5%; iv. Compliance with the design guidelines for new structures within the land covenants for each house site title.							

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S183.001	"Insert a new Special Purpose Zone for "The Landing Precinct" under 'Part 3 – Area Specific Matters' of the Proposed Plan, including objectives, policies and rules to enable residential activity and buildings as a permitted activity where they are within a residential lot, and enable farming, conservation, recreation and common facilities where they are in accordance with the Landing		Minor errors and consistency issues when transferring the panel recommendations and subsequent Council decisions into the PDP-DV	The Landing Precinct	PREC6-R2, PREC-R6 and The Landing Precinct Plan, Character Areas and Development Guidelines -Use of landscape elements	Making the provisions consistent with the terminology used in the PDP-DV. References to The Landing Precinct (TLP) should be replaced with Precinct 6 (PREC 6)	Minor amendments for consistency	All references to TLP, TLPDA or TLDA are deleted and replaced with PREC6.

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	Scheme as well as other activities appropriate for this locality including farming and other Rural Production activities. Insert appropriate permitted activity standards, including but not limited to the following: i. The dwelling shall be located on a residential lot; ii. Maximum height = 12m above existing ground level; iii. Building or structure coverage = 12.5%; iv. Compliance with the design guidelines for new structures within the land							

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	covenants for each house site title.							
N/A	N/A	N/A	Minor error	Māori Purpose Zone	MPZ-R5	Amend numbering for sub-clause PER 2 from alphabet to numerals and amend to improve clarity.	Minor error and correction for formatting consistency and to improve clarity.	PER-2 The number of residential units does not exceed the greater of: a. 1. one residential unit per 40ha of site area 10 residential units per site; or b. 2. 10 residential units per site one residential unit per 40ha of site area.
N/A	N/A	N/A	Minor error	Treaty Settlement Land Overlay	TSL-R3	Amend subclause PER-2 to improve clarity.	Minor correction to improve clarity.	PER-2 The number of residential units on any site does not exceed whichever is the greater: 1. One residential unit per 12 hectares of site area Up to a maximum total of six residential units per site; or 2. Up to a maximum total of six residential units per site One residential unit per 12

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								<u>hectares of site area.</u>
N/A	N/A	N/A	Minor error	Noise	NOISE-R2	Amend subclause PER-1 to improve clarity.	Minor correction to improve clarity.	PER-1 All habitable rooms comply with the noise insulation <u>standards</u> for noise sensitive activities effect standards which are relevant to the underlying zone or specific area identified <u>in</u> : NOISE-S5 Noise insulation
N/A	N/A	N/A	Minor error	Subdivision	SUB-R3	Amend the two references to the Māori Purpose zone in SUB-R3 to clarify which subrule applies to the Tapuaetahi Precinct and which applies more generally to the remainder of Māori Purpose zone land.	Minor correction to improve clarity within this rule so plan users can identify the applicable activity status for the subdivision of Māori Purpose Zoned land within the Tapuaetahi Precinct and outside.	Māori Purpose zone _Tapuaetahi Precinct Activity status: Controlled Where:... Māori Purpose zone _ <u>excluding Tapuaetahi Precinct</u> Ngawha Innovation and Enterprise Park zone Waitangi Estate zone Activity status:

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								Discretionary...