

Application for Deemed Permitted Boundary Activities

Pursuant to Section 87BA of the Resource Management Act 1991 (the Act)

To qualify to be a deemed permitted boundary activity, a proposed activity must meet the following criteria:

- The proposal must require resource consent due to the infringement of one or more boundary rules in a district plan.
- The proposal must not infringe any other district rules.
- The infringement must not relate to public boundaries.
- The owners of all allotments with an infringed boundary have given written approval to the proposal, including signing the site plans.

Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges – both available on the Council's web page.

1. Pre-Lodgement Meeting

Have you met with a Council Resource Consent representative to discuss this application prior to lodgement?

- Yes No

2. Applicant Details

Name

Clinton Kelvin Lyall and Janet Julienne Lyall

Phone number

Email

Postal address

(or alternative method of service
under section 352 of the Act)

3. Address for Correspondence

Name

Andrew c/o Bay of Island Planning

Phone number

Email

Postal address

(or alternative method of service
under section 352 of the Act)

*All correspondence will be sent by email in the first instance.
Please advise us if you would prefer an alternative means of communication.*

4. Details of Property Owner/s and Occupier/s

Names

Clinton Kelvin Lyall and Janet Julienne Lyall

Phone number

Email

Property address / location

5. Application Site Details

Location and/or Property Street Address of the proposed activity:

Property address / location

51 Ironbark Road
RD2 Kerikeri

Postcode 0295

Legal Description

Val Number Lot 2 DP396293

Cert of Title 383850

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site Visit Requirements

Is there a locked gate or security system restricting access by Council staff? Yes / No

Is there a dog on the property? Yes No

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details (*this is important to avoid a wasted trip and having to re-arrange a second visit*):

Contact the owner prior to site visit - 027 234 8246

6. Description of the Boundary Activity

What is being objected to? Please list condition numbers, fee amount, or decision section of the RMA:

Construction of a Versatile garage that infringes the 10m building setback requirement under Operative District Plan Rule 8.6.5.1.4 (Rural Production Zone). The building is proposed to be located 4m from the eastern boundary.

7. Other Consent required/being applied for under different legislation

Circle other consents below (*more than one circle can be ticked*):

Building Consent Other (please specify)

8. National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health:

The site and proposal may be subject to the above NES. In order to determine whether regard needs to be had to the NES please answer the following (further information in regard to this NES is available on the Council's planning web pages):
Is the piece of land currently being used or has it historically ever been used for an activity or industry on the Hazardous Industries and Activities List (HAIL)?

Yes No Don't Know

9. Boundary Activity details

Please attach the following to this application:

- Plan (drawn to scale) of the site at which the activity is to occur, showing the height, shape, and location on site of the proposed activity*
- Full name and address of each owner (other than the applicant) of the site to which the proposed activity relates*
- Full name and address of each owner of an allotment with an infringed boundary to which the proposed activity relates*
- Written approval and a signed plan from each owner of an allotment with an infringed boundary*
- Site photos

* denotes mandatory information

10. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

Name

Clinton Lyall

Phone number

Email

Postal address

(or alternative method of service under section 352 of the Act)

Fees Information

An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

11. Declaration

Declaration concerning Payment of Fees

I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

Full name

Signature of bill payer

Date 16 June 2026

Mandatory

A signature is not required if the application is made by electronic means

Important Information

Privacy Information: Once this application is lodged with the Council it becomes public information. If there is sensitive information in the proposal please advise. The information you have provided on this form is required so that your application for a consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, www.fndc.govt.nz. These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

The information I have supplied with this application is true and complete to the best of my knowledge.

Full name

Andrew McPhee

Signature

Date 16-Jun-2026

Mandatory

A signature is not required if the application is made by electronic means

Checklist (please tick if information is provided)

- Payment (cheques payable to Far North District Council)
- A current Certificate of Title (Search Copy not more than 6 months old)
- Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- Applicant / Agent / Property Owner / Bill Payer details provided
- Location of property and description of proposal
- Written approvals and a signed plan from each owner of an allotment with an infringed boundary
- Copies of other relevant consents associated with this application
- Location and Site plans
- Elevations / Floor plans
- Topographical / contour plans

Note to applicant

You must include all information required by this form. If all information is not included, the consent authority will return this to you and the correct information must be supplied before a written notice permitting your activity can be provided.

In order to be eligible for a deemed permitted boundary activity, the activity must meet the definition of boundary activity under section 87BA (1) of the Act.

You must provide written approval from all owners of allotments with infringed boundaries under section 87BA(1) of the Act 1991.

If all of the information required under section 87BA(1) of the Act is provided to the consent authority, the consent authority must notify you of your permitted boundary activity within 10 working days after the date on which it receives the information.

You must pay the charge (if any) payable to the consent authority for the deemed permitted boundary activity under the Act. If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

Only one copy of an application is required, but please note for copying and scanning purposes, documentation should be Unbound, single sided, no larger than A3 in size.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD**

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R. W. Muir
Registrar-General
of Land

Identifier **383850**
Land Registration District **North Auckland**
Date Issued 06 March 2015

Prior References
NA96D/69

Estate Fee Simple
Area 7149 square metres more or less
Legal Description Lot 1 Deposited Plan 396293

Registered Owners
Clinton Kelvin Lyall and Janet Julienne Lyall

Interests

Subject to a water supply right (in gross) over part marked D on DP 396293 in favour of the Kerikeri Irrigation Company Limited created by Gazette Notice C232172.2 - 24.1.1991 at 1:41 pm

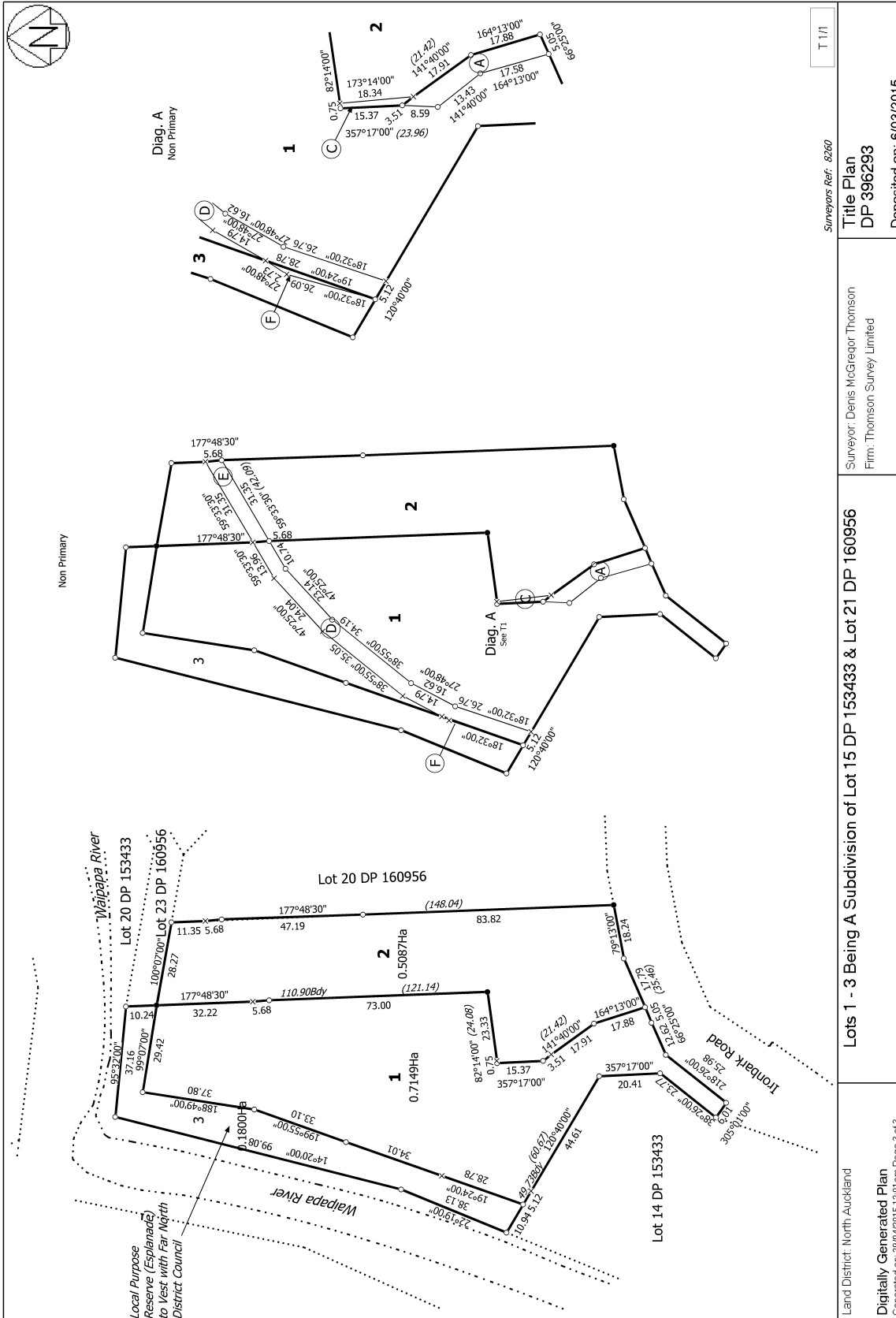
The easements created by Gazette Notice C232172.2 are subject to Section 309 (1) (a) Local Government Act 1974 8704077.3 Mortgage to ANZ National Bank Limited - 11.3.2011 at 1:26 pm

Subject to a right of way, a right to transmit electricity and telecommunications and a right to convey water over part marked A on DP 396293 created by Easement Instrument 9989298.4 - 6.3.2015 at 4:56 pm

Appurtenant hereto is a right to transmit electricity and telecommunications created by Easement Instrument 9989298.4 - 6.3.2015 at 4:56 pm

Some of the easements created by Easement Instrument 9989298.4 are subject to Section 243 (a) Resource Management Act 1991 (See DP 396293)

9989298.5 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 6.3.2015 at 4:56 pm



T 1/1

Surveyors Ref: 8260

Title Plan
DP 396293

Deposited on: 6/03/2015

Surveyor: Denis McGregor Thomson
Firm: Thomson Survey Limited

Lots 1 - 3 Being A Subdivision of Lot 15 DP 153433 & Lot 21 DP 160956

Land District: North Auckland
Digitally Generated Plan
Generated on: 29/04/2015 12:01 am Page 3 of 3

View Instrument Details



Instrument No 9989298.5
Status Registered
Date & Time Lodged 06 March 2015 16:56
Lodged By Aitken, Peter Francis
Instrument Type Consent Notice under s221(4)(a) Resource Management Act 1991



Affected Computer Registers	Land District
383850	North Auckland
383851	North Auckland

Annexure Schedule: Contains 1 Page.

Signature

Signed by Peter Francis Aitken as Territorial Authority Representative on 06/03/2015 04:54 PM

*** End of Report ***



Private Bag 752, Memorial Ave
Kaitiaki 0440, New Zealand
Freephone: 0800 920 029
Phone: (09) 401 5200
Fax: (09) 401 2132
Email: ask.us@fndc.govt.nz
Website: www.fndc.govt.nz

Te Kaunihera o Tai Tokerau Ki Te Raki

*Te Kaitiaki Take Kōwhiri
Kaitiaki Take Kōwhiri*

THE RESOURCE MANAGEMENT ACT 1991

SECTION 221: CONSENT NOTICE

REGARDING RC 2060939
Being the Subdivision of Lot 15 DP 153433
& Lot 21 DP 160956
North Auckland Registry


PURSUANT to Section 221 and for the purpose of Section 224 (c) (ii) of the Resource Management Act 1991, this Consent Notice is issued by the **FAR NORTH DISTRICT COUNCIL** to the effect that conditions described in the schedule below are to be complied with on a continuing basis by the subdividing owner and the subsequent owners after the deposit of the survey plan, and these are to be registered on the titles of the allotments specified below.

SCHEDULE

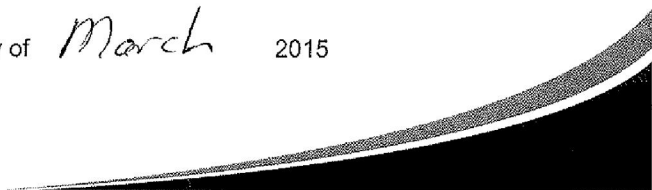
Lots 1 – 2 DP 396293

1. The operation of agricultural and horticultural equipment including sprays and chemicals (subject to compliance with any relevant legislation) may be a permitted activity. Accordingly, where rainwater is collected from exposed surfaces for human consumption in connection with a dwelling, the occupiers of any dwelling shall install an approved water filtration system.

SIGNED:


By the FAR NORTH DISTRICT COUNCIL
Under delegated authority:
PRINCIPAL PLANNER – RESOURCE MANAGEMENT

DATED at KERIKERI this 3rd day of March 2015



Written approval for Deemed Permitted Boundary Activity

Pursuant to Section 87BA of the Resource Management Act 1991 (the Act).



1. Name of person giving written approval (Full Name) ALAN and GAYLENE ELMA DAWN

2. I am the owner of the property at: 57 Ironbark Road, Waipapa

3. Address of the property subject to the proposal

51 Ironbark Road, Waipapa Postcode

4. Are you signing on behalf of other owners?

Yes No If yes, please list their names: GAYLENE ELMA DAWN
G. Dawn

I have authority to sign on behalf of the other owners of the property listed above in step in 4*


I confirm that I have read the description of the activity and seen and signed the site plans attached.

In signing this written approval, I confirm that I understand the proposal and understand that the consent authority will permit the applicant to undertake the activity (provided they have supplied the correct information, including all other written approvals required).

I understand that I may not withdraw my written approval.

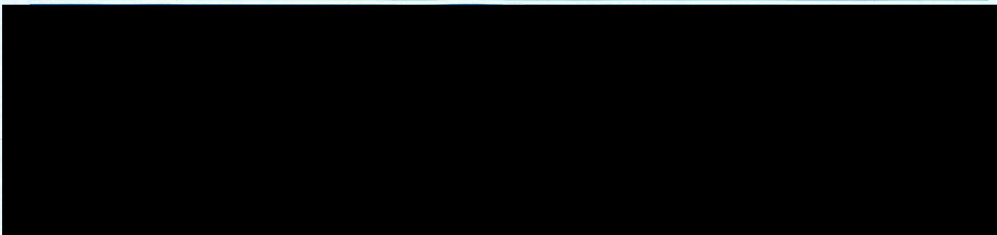
*** If signing on behalf of a trust, company or other owners, please provide additional written evidence that you have signing authority.**

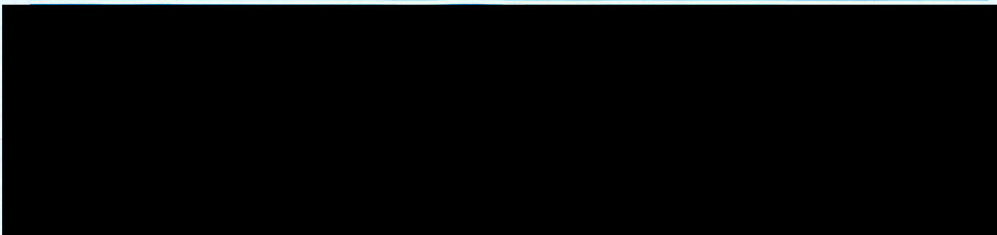
Full name ALAN DAWN

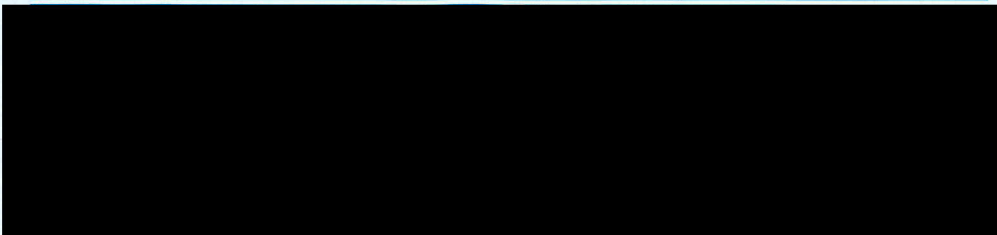
Signature  Date 5/6/2026

5. Contact details

Name ALAN DAWN

Phone number 

Email 

Postal address 

(or alternative method of service under section 352 of the Act)

Note to person signing written approval

- You should only sign this form if you fully understand the proposal. You should seek expert or legal advice if you need the proposal or deemed permitted boundary activity process explained to you.
- Conditional written approvals cannot be accepted, and written approvals cannot be withdrawn once provided.
- There is no obligation to sign this form, and no reasons need to be given.
- If you do not sign this form, resource consent may be required for the activity and you may have the opportunity to submit on the application.

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO STARTING . ALL DIMENSIONS IN MM UNLESS STATED
 Note: Construction to comply with NZS3604.2011 and the New Zealand Building Code

Project Information:

Lot 2
 DP396293
 Area: 5087 m²
 Val'n No. 00211-33001

Wind Zone: HIGH
 A/Open/Exposed/T1
 as per NZS3604:2011 Section 5.2

Exposure Zone: C
 District Plan Zone:
 Rural Production /Horticulture

Earthworks: for foundations only

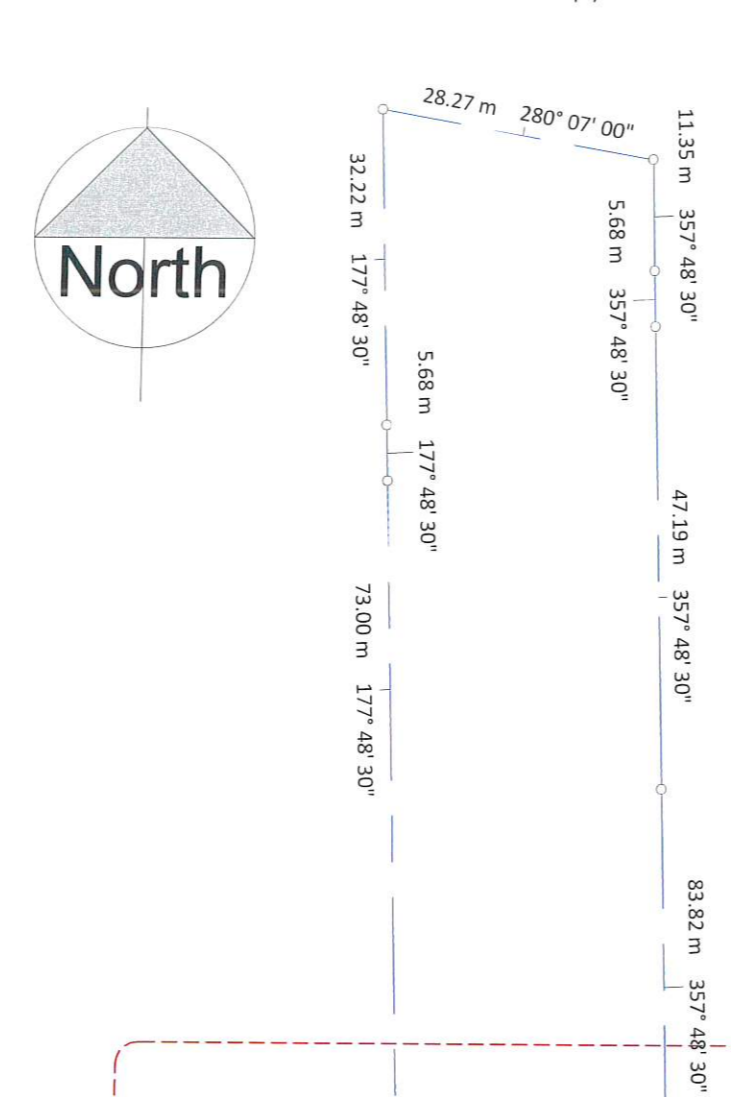
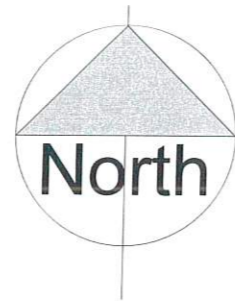
STORMWATER MANAGEMENT

Impermeable Surfaces:
 Existing roof area: nil
 Existing driveway: nil
 Proposed building roof area: 49m²
 Total Impermeable Area: 49m² (0.96%)
 Permitted Activity maximum: 15%

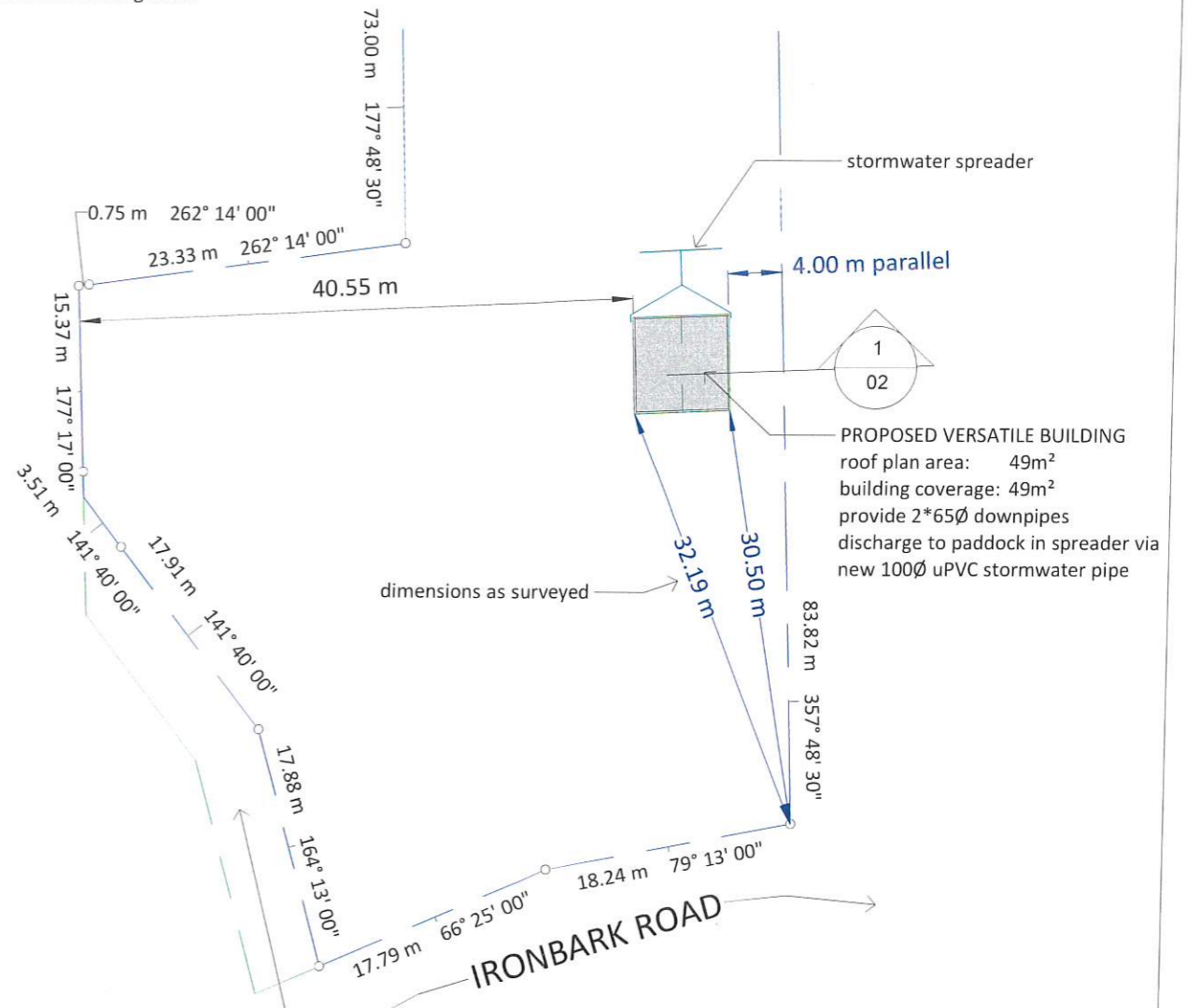
NOTE:
 accessway and parking areas are grassed
 (permeable) surfaces

Building Coverage:
 Existing Building footprint: nil
 Proposed Building footprint: 49m²
 Total Building Coverage: 49m² (0.96%)
 Permitted Activity maximum: 12.5%

STORMWATER DRAIN GRADIENTS:
 85Ø - 1:90 minimum
 100Ø - 1:120 minimum
 150Ø - 1:200 minimum
 (all as per Table 2 E1/AS1)



1 Site Plan
 1 : 750

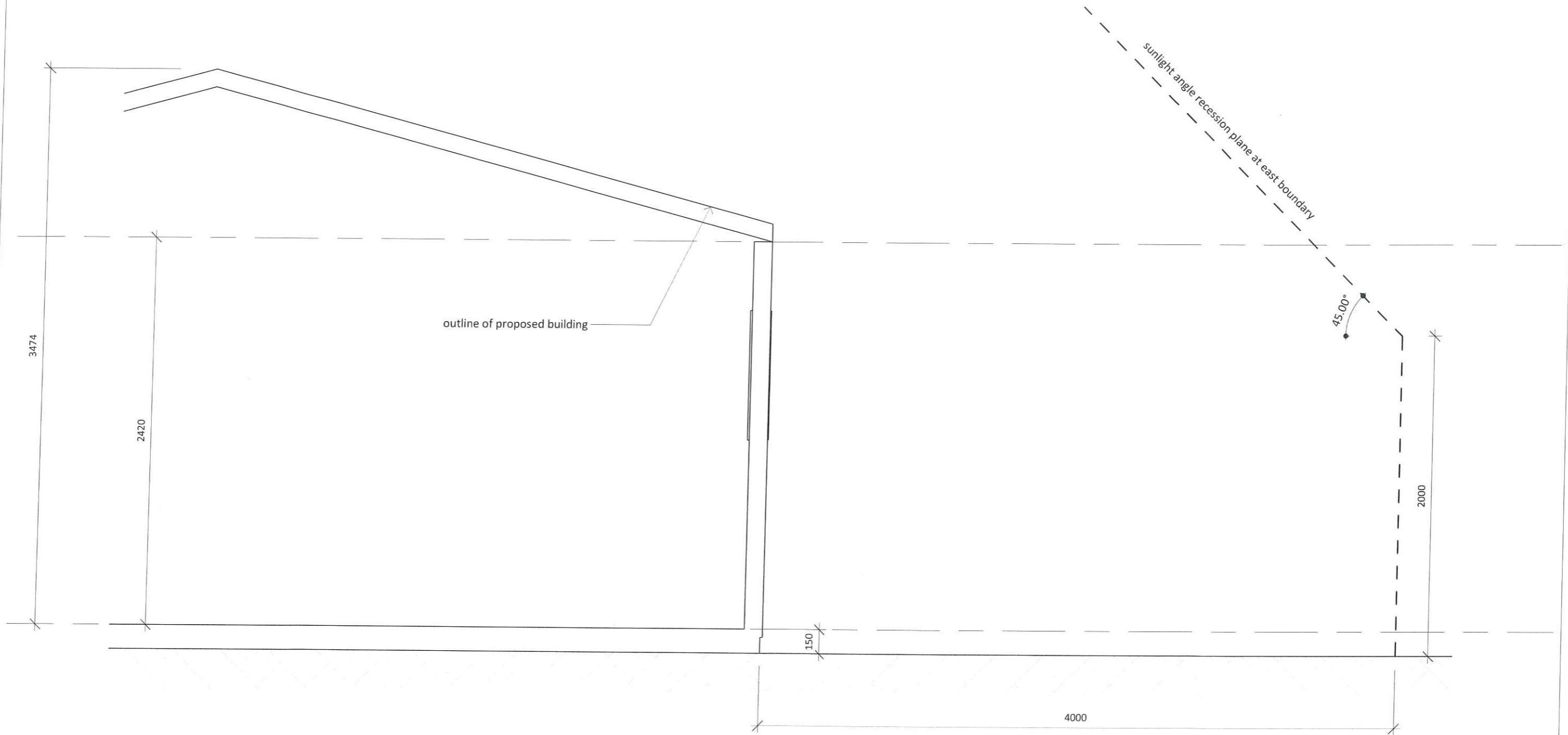


2 Part Site Plan
 1 : 500

2
 Sheet: 01

REVISIONS:
 A 30.04.26 Correct street number

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO STARTING . ALL DIMENSIONS IN MM UNLESS STATED
Note: Construction to comply with NZS3604.2011 and the New Zealand Building Code



Handwritten signature

REVISIONS:
A 30.04.26 Correct street number



PROPOSED VERSATILE BUILDING FOR:
LYALL
51 IRONBARK ROAD, KERIKERI

DRAWING TITLE:

SUNLIGHT ANGLES

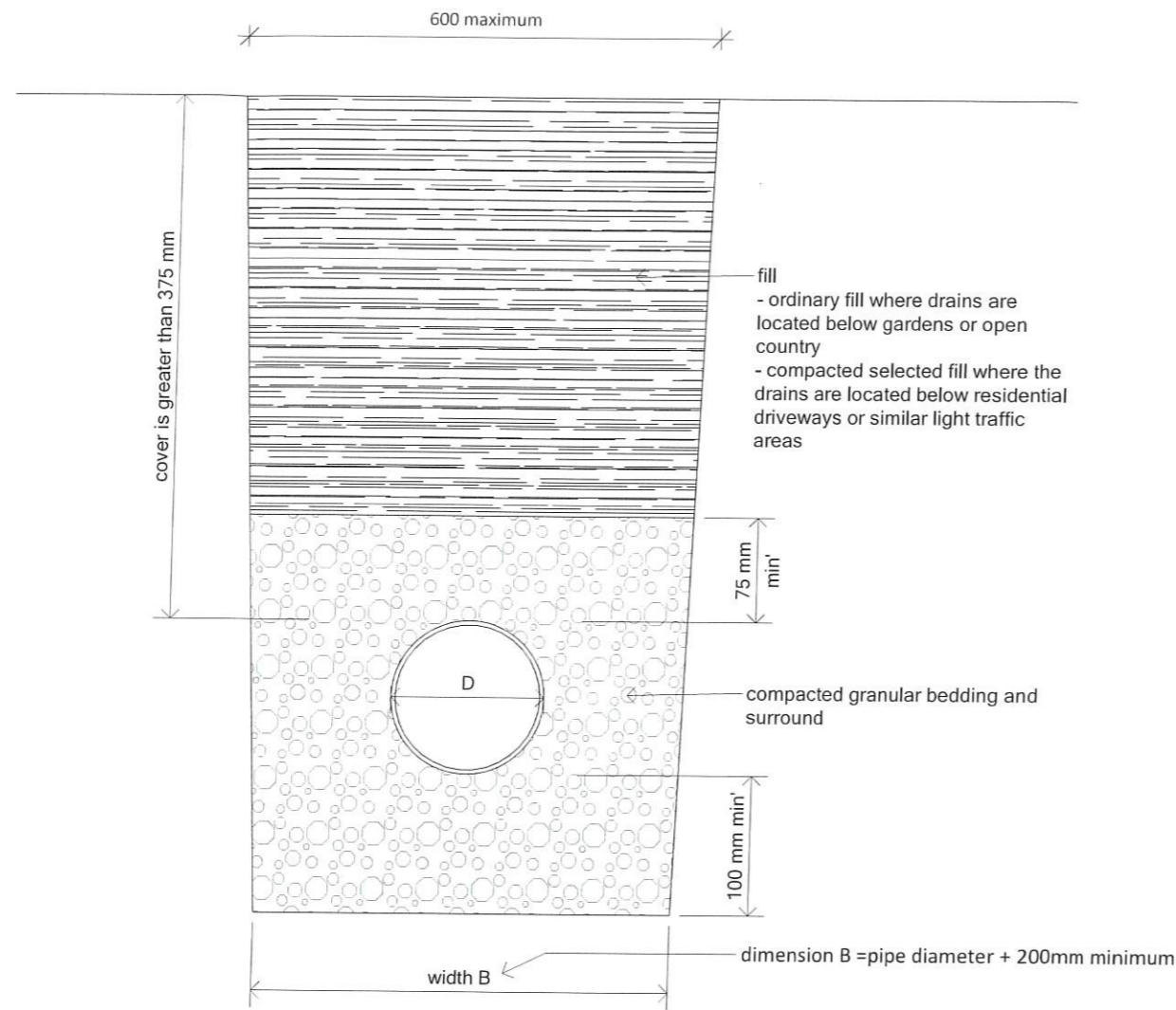
SCALE @ A3
1 : 25

DATE:
APRIL 2026

C.A.D. PROJECT #: V26690

SHEET No.
02
OF 3

CONTRACTOR TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO STARTING . ALL DIMENSIONS IN MM UNLESS STATED
 Note: Construction to comply with NZS3604.2011 and the New Zealand Building Code



STORMWATER DRAIN GRADIENTS:
 85Ø - 1:90 minimum
 100Ø - 1:120 minimum
 150Ø - 1:200 minimum
 (all as per Table 2 E1/AS1)

**(b) Cover greater than 375mm
 Bedding type "D" of NZS 4452**

where cover depth is less than 375mm but greater than 125mm
 provide 75mm minimum of concrete instead of fill
 depth of compacted granular bedding over pipe may then be
 reduced to 50mm minimum

for trench width at top greater than 600mm provide 75mm
 concrete instead of fill

Acceptable fill materials:

- bedding material of clean granular non-cohesive material with a maximum particle size of 20mm (eg pea gravel)
- selected compacted fill of any fine-grained soil or granular material which is free from topsoil and rubbish and has a maximum particle size of 20mm
- Ordinary fill which may comprise any fill or excavated material

refer also NZBC E1/AS1

Handwritten signature

REVISIONS:
 A 30.04.26 Correct street number