

Boundary adjustments may be minor, such as those required to rectify an encroachment or realign a boundary, etc and may not require development consent. The State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 identifies those boundary adjustments which are exempt development.

If the proposed boundary adjustment does not meet the exempt requirements and is in RU1 or E3 zones a development application may be lodged in accordance with Clause 4.2C of the Richmond Valley Local Environmental Plan. The subdivision must:

- (a) Not result in the creation of, or the opportunity to create, additional lots, and
- (b) Not result in the creation of, or the opportunity to create, additional dwelling entitlements on any of the lots, and
- (c) Not adversely impact on the long-term agricultural production potential or environmental characteristics of the lots and the surrounding locality.

A boundary adjustment will require a plan of subdivision to be drawn up by a Registered Land Surveyor, who are familiar with the relevant approval requirements for specific circumstances. You may wish to talk to a Registered Land Surveyor about your specific circumstances and options for boundary adjustments and other types of land subdivision at an early stage to ensure you have all the information you need from the start of the process. A Registered land Surveyor may also provide the service of obtaining all of the necessary approvals on your behalf.

Please contact our Development Concierge for further information.

## LINKS

- ▶ [Richmond Valley Council](#)
- ▶ [NSW planning portal](#)



## CONTACT

council@richmondvalley.nsw.gov.au  
(02) 6660 0300



The following information is to be provided with Development Applications for boundary adjustments:

1. A site plan, to scale or show all dimensions. The plan is to identify:
  - Existing allotment boundaries (usually shown as dashed lines).
  - Proposed allotment area size and boundaries.
  - Existing allotment areas.
  - Plan title, north point, date, scale and draftspersons name.
  - Existing buildings, driveways, dams, watercourses.
  - Proposed clearing of native vegetation (such as for asset protection zones, building envelope, effluent disposal area, access etc), needs to be identified on the site plan
  - Effluent land application areas if in an unsewered area (any on-site treatment system and effluent land application areas will need to be wholly contained within each allotment).
2. As a boundary adjustment involves two (or more) separate allotments, owner's consent of all landowners will be required.
3. An assessment under the Biodiversity Conservation Act 2016 will need to be undertaken including a threshold test, test of significance and identifying whether the property is located on the Biodiversity Values map. The threshold test will need to include all clearing associated with the proposed development including for property access, APZ, OSMS, building envelopes, roads and infrastructure etc. If the proposal triggers any of these a Biodiversity Development Assessment Report is required to be submitted to Council.
4. If the subject lot is identified in a 10.7 (previously 149) Certificate as being subject to a State Environmental Planning Policy (SEPP) land additional documentation will be required to be submitted with the application, check with Council's duty planner for details.
5. If the subject lot is classified as bush fire prone land the development application must be accompanied by a Bush Fire Assessment Report and will be referred to the NSW Rural Fire Service (RFS). The information required for a bush fire assessment report is contained in the document Planning For Bushfire Protection 2006 Appendix 4 available from the RFS website [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au). Check with Council's duty planner for details of bushfire prone land or go to Richmond Valley's online mapping at [www.richmondvalley.nsw.gov.au](http://www.richmondvalley.nsw.gov.au).

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