



New South Wales

Gunnedah Local Environmental Plan 2012 (Amendment No 14)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**ERIC GROTH, GENERAL MANAGER
GUNNEDAH SHIRE COUNCIL**
As delegate for the local plan-making authority

Gunnedah Local Environmental Plan 2012 (Amendment No 14)

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1 Name of Plan

This Plan is *Gunnedah Local Environmental Plan 2012 (Amendment No 14)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Gunnedah Local Environmental Plan 2012* applies.

4 Maps

The maps adopted by *Gunnedah Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Gunnedah Local Environmental Plan 2012

[1] Part 6 Additional local provisions

Insert at the end of the Part, with appropriate clause numbering—

Terrestrial biodiversity

- (1) The objective of this clause is to maintain terrestrial biodiversity by—
 - (a) protecting native fauna and flora, and
 - (b) protecting the ecological processes necessary for the continued existence of native fauna and flora, and
 - (c) encouraging the conservation and recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—
 - (a) whether the development is likely to have—
 - (i) an adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
 - (ii) an adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
 - (iii) the potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
 - (iv) an adverse impact on the habitat elements providing connectivity on the land, and
 - (b) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—
 - (a) the development is designed, sited and will be managed to avoid a significant adverse environmental impact, or
 - (b) if a significant adverse environmental impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise the impact.

[2] Dictionary

Insert in alphabetical order—

Terrestrial Biodiversity Map means the Gunnedah Local Environmental Plan 2012 Terrestrial Biodiversity Map.