

FACT SHEET
Terrestrial Biodiversity



The Terrestrial Biodiversity LEP MAP

Council has mapped areas of biodiversity significance in Randwick City in the Terrestrial Biodiversity layer of the Randwick Local Environmental Plan 2012 (RLEP), to which the RLEP Clause 6.5 applies.

Land identified on the RLEP Terrestrial Biodiversity Map contains vegetation listed as endangered under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 and the NSW Threatened Species Conservation Act 1995. Most of these areas are located in Council's public reserves or on crown land (state government owned land).

The RLEP Clause 6.5

The RLEP Clause 6.5 outlines a number of matters that must be taken into consideration before consent is granted to a development application on land identified as "Biodiversity" on the Terrestrial Biodiversity Map.

The intent of this clause is to determine if the proposed development is likely to have an adverse impact on the vegetation on the site. Clause 6.5 requires that the consent authority must be satisfied, before granting approval to a proposed development, that:

- the development is sited, designed and managed to avoid potential adverse environmental impacts; or
- where an impact cannot be avoided by adopting feasible alternatives, the proposed development will be designed, constructed and operated to minimise those impacts.

RLEP Clause 6.5 - 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 their continued existence, 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 (in the RLEP 2012).
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:
 - (a) whether the development is likely to have:
 - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
 - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
 - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
 - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
 - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

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(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 any significant adverse environmental impact, or
- (b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The RLEP (including the RLEP Maps) can be viewed at the NSW Legislation website at www.legislation.nsw.gov.au or Council's website at www.randwick.nsw.gov.au

The Commonwealth and NSW Recovery Plans

Further information, including management actions to support the recovery of the listed threatened species or threatened ecological communities can be viewed in the Commonwealth and NSW Recovery Plans. The following Recovery Plans are relevant to Randwick City:

- Eastern Suburbs Banksia Scrub (ESBS) Endangered Ecological Community Recovery Plan (2004); and
- *Acacia terminalis* subsp. *terminalis* (Sunshine Wattle) endangered subspecies Recovery Plan (2010).

Both Recovery Plans can be downloaded from the NSW Office of Environment & Heritage website at www.environment.nsw.gov.au