



Greater Lithgow Local Environmental Plan 1994 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (S02/01443/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2004 No 458

Clause 1 Greater Lithgow Local Environmental Plan 1994 (Amendment No 7)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Greater Lithgow Local Environmental Plan 1994 (Amendment No 7)*.

2 Aims of plan

The aim of this plan is to amend *Greater Lithgow Local Environmental Plan 1994* to provide for the following in respect of the land to which this plan applies:

- (a) the rezoning of part of that land from Zone No 1 (a)—Rural (General) to Zone No 2 (a)—Residential to allow residential development, another part of that land from Zone No 2 (a)—Residential to Zone No 6—Open space to allow an extension to the Hassans Walls Reserve and another part of that land from Zone No 1 (a)—Rural (General) to Zone No 6—Open space,
- (b) the introduction of measures to protect potential habitat of the Purple Copper Butterfly (*Paralucia spinifera*) on that land.

3 Land to which plan applies

This plan applies to land within part of Lot 1 DP 789197 as shown edged heavy black on the map marked “Greater Lithgow Local Environmental Plan 1994 (Amendment No 7)” deposited in the office of Lithgow City Council.

4 Amendment of Greater Lithgow Local Environmental Plan 1994

Greater Lithgow Local Environmental Plan 1994 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 6 DefinitionsInsert in appropriate order in the definition of *the map* in clause 6 (1):Greater Lithgow Local Environmental Plan 1994
(Amendment No 7)**[2] Clause 38A**

Insert after clause 38:

38A Habitat of Purple Copper Butterfly

- (1) The Council must not grant consent to the carrying out of development on any land within the relevant area unless:
 - (a) a survey has been undertaken to verify the location of all utilised habitat of the Purple Copper Butterfly (*Paralucia spinifera*) in the relevant area and, in the opinion of the Council, the survey has been undertaken by a person who was suitably qualified to do so, and
 - (b) a plan of management has been prepared in consultation with Council officers and the Department of Environment and Conservation that:
 - (i) is based on the survey, and
 - (ii) sets out measures for the conservation of the Purple Copper Butterfly in the relevant area or a program for the establishment of a viable compensatory habitat on land that is within Zone No 6—Open space, and
 - (c) the Council is satisfied that the proposed development is consistent with the plan of management.
- (2) In this clause:
relevant area means land that is within so much of Zone No 2 (a)—Residential as is shown edged heavy black on the map marked “Greater Lithgow Local Environmental Plan 1994 (Amendment No 7)”.