



Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)

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*. (S01/02181/PC)

DIANE BEAMER, M.P.,

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

2004 No 459

Clause 1 Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)

Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)*.

2 Aims of plan

This plan aims:

- (a) to rezone part of the land to which this plan applies from partly Zone No 1 (d)—the Rural (Future urban) zone and partly Zone No 1 (a)—the Rural (General) zone to partly Zone No 2 (a)—the Residential zone and partly Zone No 6—the Open space zone under *Greater Lithgow Local Environmental Plan 1994 (the 1994 plan)* to provide for residential development and the protection of environmentally sensitive land, and
- (b) to introduce into the 1994 plan environmental objectives in respect of land within Zone No 6—the Open space zone, and
- (c) to provide that a provision in the 1994 plan relating to minor variations to zoning boundaries does not apply to the land referred to in paragraph (a) so that residential development will not be permitted on that part of the land to which this plan applies that is zoned Open space and within 50 metres of the residential land, and
- (d) to make changes to the 1994 plan as a consequence of a Council name change from the City of Greater Lithgow to the City of Lithgow, including renaming the 1994 plan as *Lithgow City Local Environmental Plan 1994*.

3 Land to which plan applies

- (1) To the extent that this plan rezones land, it applies to certain land northwest of Kirkley Street, South Bowenfels, as shown edged heavy black on the map marked “Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)” deposited in the office of Lithgow City Council.
- (2) To the extent that this plan introduces environmental objectives into the 1994 plan, it applies to all land within Zone No 6—the Open space zone under the 1994 plan.
- (3) To the extent that this plan does not allow residential development on land zoned Open space, it applies to the land referred to in subclause (1).
- (4) To the extent that this plan makes changes to the 1994 plan as a consequence of a Council name change, it applies to all land in the City of Lithgow under *Greater Lithgow Local Environmental Plan 1994*.

4 Amendment of Greater Lithgow Local Environmental Plan 1994

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

2004 No 459

Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 1 Name of Plan

Omit “*Greater Lithgow Local Environmental Plan 1994*”.

Insert instead “*Lithgow City Local Environmental Plan 1994*”.

[2] Clause 1A

Insert after clause 1:

1A References to Greater Lithgow Local Environmental Plan 1994

A reference in any environmental planning instrument to *Greater Lithgow Local Environmental Plan 1994* is taken to be a reference to *Lithgow City Local Environmental Plan 1994*, whether the instrument was made before or after the commencement of *Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)*.

[3] Clause 2 Aims of the Plan

Omit “City of Greater Lithgow” wherever occurring in clause 2 (a)–(c).

Insert instead “City of Lithgow”.

[4] Clause 3 Where this Plan applies

Omit “City of Greater Lithgow”. Insert instead “City of Lithgow”.

[5] Clause 6 Definitions

Omit “City of Greater Lithgow” from the definition of *Council* in clause 6 (1).

Insert instead “City of Lithgow”.

[6] Clause 6 (1), definition of “the Map”

Insert in appropriate order:

Greater Lithgow Local Environmental Plan 1994
(Amendment No 9)

[7] Clause 7 Who determines development applications

Omit “City of Greater Lithgow”. Insert instead “City of Lithgow”.

[8] Clause 9 Zone objectives and development control

Omit “City of Greater Lithgow” from item 1 (b) of the matter relating to Zone No 1 (f).

Insert instead “City of Lithgow”.

[9] Clause 9

Omit “and” from item 1 (d) of the matter relating to Zone No 6.

[10] Clause 9

Insert after item 1 (e) of the matter relating to Zone No 6:

- (f) to retain significant features and ensure that the visual impact is not unnecessarily reduced,
- (g) to ensure that water quality is maintained in watercourses and wetlands, and
- (h) to maintain or enhance the ecological biodiversity of watercourses and wetlands.

[11] Clause 31 Minor variations to zoning boundaries

Insert after clause 31 (3):

- (4) This clause does not apply to certain land northwest of Kirkley Street, South Bowenfels, as shown edged heavy black on the map marked “Greater Lithgow Local Environmental Plan 1994 (Amendment No 9)”.

[12] Clause 39 Heritage objectives

Omit “City of Greater Lithgow” wherever occurring in clause 39 (a) and (d).

Insert instead “City of Lithgow”.