



New South Wales

# **Willandra Lakes Regional Environmental Plan No 1—World Heritage Property**

under the

**Environmental Planning and Assessment Act 1979**

I, the Minister for Urban Affairs and Planning, make the following regional environmental plan under the *Environmental Planning and Assessment Act 1979*.  
(S90/01113/PC)

ANDREW REFSHAUGE, M.P.,  
Minister for Urban Affairs and Planning

Sydney, 5th March 2001.

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## 2001 No 227

Willandra Lakes Regional Environmental Plan No 1 World Heritage Property

Contents

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## Contents

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	Page
<b>Part 1 Preliminary</b>	
1 Name of plan	3
2 Land to which plan applies	3
3 Aim of plan	3
4 How this plan affects other environmental planning instruments	3
5 Definitions	4
6 Strategic plans of management	4
7 Operational Plans	5
8 Individual Property Plans	5
<b>Part 2 Planning considerations and consultation</b>	
9 When this Part applies	6
10 Planning considerations	6
11 Consultation	6

## **Willandra Lakes Regional Environmental Plan No 1—World Heritage Property**

### **Part 1 Preliminary**

#### **1 Name of plan**

This plan is *Willandra Lakes Regional Environmental Plan No 1—World Heritage Property*.

#### **2 Land to which plan applies**

This plan applies to the Willandra Lakes Region World Heritage Property, which is land in the local government areas of Balranald and Wentworth declared under section 4 (6) of the Act to be a region for the purposes of that Act and shown shaded on the map to that declaration.

#### **3 Aim of plan**

- (1) The aims of this plan are to protect, conserve and manage the World Heritage Property.
- (2) The objectives of this plan are:
  - (a) to protect, conserve and manage the World Heritage Property in accordance with any strategic plan of management and any operational plans prepared for the Property, and
  - (b) to set up a consultation method for making decisions on conservation and development within the World Heritage Property.

#### **4 How this plan affects other environmental planning instruments**

This plan prevails over any other environmental planning instrument made before this plan where there is an inconsistency.

## 2001 No 227

Clause 5 Willandra Lakes Regional Environmental Plan No 1—World Heritage Property

Part 1 Preliminary

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### 5 Definitions

In this plan:

***Community Management Council*** means the Willandra Lakes Region World Heritage Property Community Management Council set up under an agreement between the Commonwealth and New South Wales governments.

***development*** means both development requiring development consent and development not requiring development consent.

***Elders Council*** means the Willandra Lakes Region World Heritage Area Three Traditional Tribal Groups Elders Council.

***individual property plan*** means an individual property plan approved by the Community Management Council and in force.

***Ministerial Council*** means the New South Wales World Heritage Properties Ministerial Council set up under an agreement between the Commonwealth and New South Wales governments.

***Mungo National Park Management Plan*** means the plan of management prepared for Mungo National Park under the *National Parks and Wildlife Act 1974*.

***operational plan*** means an operational plan approved by the Community Management Council and the Ministerial Council and in force.

***strategic plan of management*** means a strategic plan of management approved by the Community Management Council and the Ministerial Council and in force.

***Technical and Scientific Advisory Committee*** means the Willandra Lakes Region World Heritage Property Technical and Scientific Advisory Committee set up under an agreement between the Commonwealth and New South Wales governments.

***the Act*** means the *Environmental Planning and Assessment Act 1979*.

***World Heritage Property*** means the land to which this plan applies.

### 6 Strategic plans of management

- (1) The Community Management Council is to prepare a draft strategic plan of management for the World Heritage Property.
- (2) A draft strategic plan of management prepared for the World Heritage Property must:

- (a) be consistent with the aims of this plan, and
  - (b) go through a public participation process.
- (3) The Community Management Council and the Ministerial Council may approve a draft strategic plan of management with any changes that they think are required, including changes of substance, as a strategic plan of management for this plan.
  - (4) A strategic plan of management may be amended or replaced by another strategic plan of management.

## **7 Operational Plans**

- (1) The Community Management Council is to prepare a draft operational plan of management for the World Heritage Property.
- (2) A draft operational plan of management prepared for the World Heritage Property must be consistent with the strategic plan of management.
- (3) The Community Management Council and the Ministerial Council may approve a draft operational plan of management with any changes that they think are required, including changes of substance, as a strategic plan of management for this plan.
- (4) An operational plan may be amended or replaced by another operational plan.

## **8 Individual Property Plans**

- (1) The owner of land which is part of the World Heritage Property may prepare a draft individual property plan for the land.
- (2) The Community Management Council may approve a draft individual property plan with any changes that it thinks are required, including changes of substance, as an individual property plan for this plan.
- (3) An individual property plan may be amended or replaced by another individual property plan.

## **2001 No 227**

Clause 9                      Willandra Lakes Regional Environmental Plan No 1—World Heritage Property

Part 2                         Planning considerations and consultation

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## **Part 2 Planning considerations and consultation**

### **9 When this Part applies**

- (1) This Part applies when:
  - (a) a council prepares a local environmental plan, or
  - (b) a consent authority determines a development application, or
  - (c) a public authority or person proposes to carry out an activity as defined by Part 5 of the Act, or
  - (d) a person prepares an individual property plan.
- (2) When this Part applies in the circumstances referred to in subclause (1) (a), the council concerned should comply with the requirements of this Part.
- (3) When this Part applies in the circumstances referred to in subclause (1) (b), (c) or (d), the relevant authority or person concerned must comply with the requirements of this Part.

### **10 Planning considerations**

The council, authority or person concerned is to take into account:

- (a) the aims and objectives of this plan, and
- (b) if relevant, the Mungo National Park Management Plan, and
- (c) any relevant strategic plan of management, and
- (d) any relevant operational plan, and
- (e) any relevant individual property plan.

### **11 Consultation**

- (1) Consultation under this clause is to be carried out before the relevant plan is made, application determined or activity carried out.
- (2) The council, authority or person concerned is to consult the Community Management Council about the impact of the plan, development or activity on the world heritage values identified in the strategic plan of management by:
  - (a) writing to the Community Management Council, giving a copy of the proposed plan or a description of the proposed development or activity, and

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- (b) requesting the Council to comment on the proposed plan, development or activity within 60 days of the Council receiving the request.
  - (3) The council, authority or person is:
    - (a) as far as is practicable, to give effect to any requirements of the Community Management Council made within those 60 days about the proposed plan, development or activity, and
    - (b) to consider any comments of the Community Management Council about the proposed plan, development or activity made within those 60 days.
  - (4) The Community Management Council may extend the 60-day period by up to 60 days by advising the council, authority or person in writing of the extension.
  - (5) The Community Management Council may refer a proposed plan, development or activity to the Technical and Scientific Advisory Committee if the Council considers that the proposed plan, development or activity may have a significant impact on the world heritage values identified in the strategic plan of management.
  - (6) The Community Management Council is to refer a proposed plan, development or activity to the Elders Council.
  - (7) The Community Management Council must consider advice given by the Technical and Scientific Advisory Committee, and the Elders Council, in response to a referral if the advice is received within 28 days after the referral was made.
  - (8) The Community Management Council may determine that consultation is not necessary in a particular case or class of case.