

Submission
No 9

**INQUIRY INTO WATER NSW AMENDMENT
(WARRAGAMBA DAM) BILL 2018**

Organisation: Greater Blue Mountains World Heritage Area Advisory
Committee

Date Received: 2 October 2018



ADVISORY COMMITTEE

PO Box 6 Glenbrook NSW 2773

gbm.worldheritage@environment.nsw.gov.au

Our reference : DOC18/737930

The Chair
Legislative Council Standing Committee on State Development

Via email: state.development@parliament.nsw.gov.au

Dear Chair,

Water NSW Amendment (Warragamba Dam) Bill 2018

The Advisory Committee for the GBMWA is jointly appointed by the NSW and Commonwealth environment ministers to provide advice on the protection of the GBMWA and issues concerning surrounding land uses that have the potential to impact on the area.

The Committee has been briefed covering the policy background to the project, the environmental impact assessment process, cultural heritage impact, land use planning, emergency services issues and the views of community organisations.

Please consider the attached correspondence to the NSW and Cwth Ministers for the Environment as our submission to the welcome inquiry in the Water NSW Amendment (Warragamba Dam) Bill 2018.

The Committee has urged the NSW Government to very carefully consider the adverse impacts on the Greater Blue Mountains World Heritage Area when final decisions are being made about the proposed works and alternative courses of action that could alleviate these impacts on this internationally significant area.

If you require further information, please contact our Executive Officer,

Yours sincerely

Bruce Leaver
Chair
Greater Blue Mountains World Heritage Area Advisory Committee

2 October 2018



ADVISORY COMMITTEE

PO Box 6 Glenbrook NSW 2773

gbm.worldheritage@environment.nsw.gov.au

Our reference : DOC18/709613

The Hon. Gabrielle Upton MP
Minister for the Environment
GPO Box 5341
Sydney NSW 2001

Via email: office@upton.minister.nsw.gov.au

Dear Minister

Proposed Warragamba Dam works and impact on World Heritage

The Advisory Committee for the GBMWhA is jointly appointed by the NSW and Commonwealth environment ministers to provide advice on the protection of the GBMWhA and issues concerning surrounding land uses that have the potential to impact on the area.

The Committee has been briefed covering the policy background to the project, the environmental impact assessment process, cultural heritage impact, land use planning, emergency services issues and the views of community organisations.

The Committee was working towards input into the EIS process. However, the introduction of the *Water NSW Amendment (Warragamba Dam) Bill 2018* into the NSW Legislative Council on 19 September 2018 has prompted the Committee to exercise its ministerial advice functions and advise you its views in advance of formal input into the EIS.

The Committee raised particular concerns to Water NSW about the impact of inundation on world heritage values, especially Aboriginal cultural heritage, siltation and weed dispersal, and biodiversity impacts.

Outstanding Universal Value and Integrity

The World Heritage listing is based on:

Criterion (ix): *The Greater Blue Mountains include outstanding and representative examples in a relatively small area of the evolution and adaptation of the genus Eucalyptus and eucalypt-dominated vegetation on the Australian continent including 177 threatened plant species*

Criterion (ix): *The site includes an outstanding diversity of habitats and plant communities that support its globally significant species and ecosystem diversity support more than 400 vertebrate taxa (of which 40 are threatened).*

The Committee considers that the proposal will have significant adverse impacts on:

- Biodiversity
- Siltation and weed dispersal
- Wilderness and wild river values
- Aboriginal cultural heritage values
- Aesthetic values
- Management access

Attachment 1 details the Committee's advice in relation to these matters.

The Committee urges the NSW Government to very carefully consider the adverse impacts on the Greater Blue Mountains World Heritage Area when final decisions are being made about the proposed works and alternative courses of action that could alleviate these impacts on this internationally significant area.

If you require further information, please contact our Executive Officer,

Yours sincerely

Bruce Leaver
Chair
Greater Blue Mountains World Heritage Area Advisory Committee

27 September 2018

cc. The Hon. Melissa Price MP, Minister for the Environment

Advice on impacts on the Greater Blue Mountains World Heritage Area

Biodiversity

The Committee notes the Referral of proposed action (Warragamba Dam Raising (Water NSW) 2017/7940) under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) has been determined a controlled action for World Heritage, National Heritage and listed Threatened Species and Communities. The Referral states:

“The Project has the potential to cause inundation of *Eucalyptus benthamii* and *Hakea dohertyi* populations and Macquarie perch spawning areas for a period of weeks which could impact the overall populations of these species. Inundation could also occur to White Box-Yellow Box, Blakely’s Red Gum Grassy Woodland and Derived Native Grassland which could cause both loss of areas occupied by the TEC and the establishment of invasive species. All of these impacts may in turn contribute to an overall impact on the GBMWA.”

While some larger trees of *Eucalyptus benthamii* may survive the inundations, *Hakea* species are likely to be more sensitive and to be killed. Drowning native scleromorphic vegetation in the Threatened box woodlands for up to 5 weeks at a time will kill native vegetation, particularly the groundcover species but not provide conditions necessary for their recovery. Normally native vegetation including *Hakea* species would re-establish after a bushfire and the seeds would establish in the open high light conditions. However, after a flood event, the dead material and nutrient-rich silt and mud will only promote the establishment of exotic weeds and grasses which will ultimately outcompete any successful native vegetation regrowth seedlings including *Eucalyptus benthamii*. The lush weed areas are likely to attract concentrations of grazing animals, not just macropods but feral pigs, goats, deer and rabbits that will further graze out any successfully establishing native trees and other native vegetation.



The Committee notes that significant populations of the Critically Endangered Regent honeyeater have been identified in the Burrangor Valley and inundation could have a devastating impact on their breeding habitat as their breeding trees such as *Eucalyptus sideroxylon* are susceptible to waterlogging, and also unlikely to establish in the presence of exotic weed growth.



Siltation and exotic weed dispersal and competition

Depositions of silt will be rapidly colonised by exotic weed species particularly agricultural weeds that grow vigorously in the enriched soil and compete and stop recruitment of native species. At present the areas that will be flooded are relatively undisturbed, but once the weeds have established in a ponding event they will be impossible to remove. Silting will also affect the steeper sandstone slopes which are currently pristine but will collect silt residues following flooding with weed species establishing in the crevices.

All of these impacts may in turn contribute to an overall impact on the GBMWAH.



Wilderness and Wild River values

The Statement of Outstanding Universal Value for the Greater Blue Mountains Area¹ acknowledges that “*Additional regulatory mechanisms, such as the statutory wilderness designation of 65% of the property...further protect the integrity of the GBMA.*”

Significant areas of the Kanangra (122,072ha) and Nattai (41,867ha) Wilderness areas, declared under the *Wilderness Act, 1987* will be impacted by the proposal to raise the Warragamba Dam wall, as will parts of the Kowmung River, a Wild River declared under the *NSW National Parks and Wildlife Act 1967*, which will be irreparably silted over.

Section 9 of the *Wilderness Act, 1987* requires management of Wilderness areas “*to restore (if applicable) and to protect the unmodified state of the area and its plant and animal communities.*”

And the Kanangra-Boyd Park Plan of Management² states:

“*There will be two major management emphases for Kanangra-Boyd National Park during the life of this plan:*
- *implementation of a co-ordinated management strategy with adjacent conservation reserves to enhance their ecological integrity as the largest natural area in eastern New South Wales and to protect their wilderness values; and*
- *promotion of appropriate land use planning and management amongst relevant land management authorities to ensure the protection of the park’s outstanding natural and cultural values from adverse external impacts.*”

The proposal to raise the Warragamba Dam wall will cause irreparable damage to these extraordinary wilderness areas and wild rivers, protected under legislation.



¹ <https://whc.unesco.org/en/list/917>

² <https://www.environment.nsw.gov.au/research-and-publications/publications-search/kanangra-boyd-national-park-plan-of-management>

Aboriginal cultural heritage

The Committee expresses deep concern for the Aboriginal cultural heritage of the areas proposed to be inundated. No archaeological surveys were conducted when the Burratorang valley was dammed between 1948 and 1960 and therefore no chance of recovery of that irreplaceable heritage.

Members of the local Aboriginal community have recently advised the Committee that the proponent has only allowed 25 days for archaeological and cultural heritage surveys, yet Lake Burratorang has a foreshore of 354 kilometres. This is not acceptable and the Committee strongly recommends that further, more detailed archaeological surveys be conducted.

The former NSW Minister for the Environment expressed in August 2014 to the former Chair of the Committee and to the former Commonwealth Minister for the Environment his “*strong support for the assessment of the Greater Blue Mountains to consider the important additional values relating to Indigenous and historic cultural values, geodiversity and aesthetic values through their inclusion on the National Heritage List.*”

The Indigenous and other values are currently being assessed by the Australian Heritage Council for inclusion on the National Heritage List as a precursor to potential renomination to the World Heritage List.

The Committee has formally supported the Gundungurra Cultural Landscape – Cox’s to Wollondilly Rivers Aboriginal Place nomination under the *National Parks and Wildlife Act 1974*. The Committee acknowledges the significance of the cultural landscape throughout the Gundungurra creation Songline, the journey of Gurangatch and Mirrigan across large tracts of Country that are likely to be inundated should the proposal proceed.



Aesthetic values

The GBMWHA is currently under assessment for inclusion on the National Heritage List for its scenic beauty – aesthetic values. The Statement of OUV stresses that *“the conservation of these associations, together with the elements of the property’s natural beauty, contributes to its integrity.”*



The Kanangra-Boyd Park Plan of Management states that the *“Service [NSW National Parks and Wildlife] will liaise with local councils and other relevant management agencies to minimise the impacts of adjacent developments on the scenic values of the park, with particular emphasis on wilderness views.”*

There is likely to be a negative impact on aesthetic values from planes and various lookouts including McMahons and possibly Echo Point, accessed by millions of visitors annually. These values are a significant element of the regional tourism economy.



Management access

Access to the Special Areas and Yerranderie via Murphy’s Crossing and Joorilands will be impacted with inundation which could jeopardise emergency and administration services to these areas which would be required to travel via Oberon.