

Submission
No 73

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

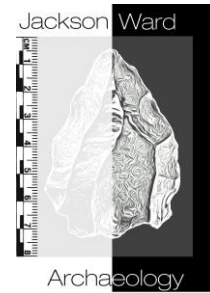
Name: Mr Michael Jackson

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Partially
Confidential

Jackson Ward Archaeology

Cultural Heritage Consulting
NSW and Victoria



The Chair
Legislative Council Standing Committee on State Development

03/10/2018

Dear Chair

**Proposed *Water NSW Amendment (Warragamba Dam) Bill 2018* and the Impact of
Warragamba Dam works on the Gundungurra Cultural Landscape including the
Gundungurra Creation story, 'The Journey of Gurangatch and Mirrigan'**

My name is Michael Jackson. I'm an archaeologist who has worked closely with members of the Gundungurra community for more than a decade on archaeological projects throughout the southern Blue Mountains. Some members of the Gundungurra community requested that I be involved in the archaeological investigation for the Environmental Impact Statement (EIS) for the raising of Warragamba Dam project due to my familiarity with Gundungurra stories, cultural landscapes, associated archaeology and remote area archaeological survey skills. Much has been discussed about the impacts to natural areas which the proposed *Water NSW Amendment (Warragamba Dam) Bill* (Amendment Bill) and the raising of Warragamba Dam would cause. I am extremely concerned about the potential impact on the archaeological and Aboriginal cultural heritage.

The proposed (Amendment Bill) will allow for inundation and destruction of hundreds of kilometres of Gundungurra Country and culture. In particular, the proposal will have a significant impact on one of the largest Aboriginal Creation stories close to a major city in Australia, 'The Journey of Gurangatch and Mirrigan' (first published by Robert Mathews in 1908).

The 'Journey of Gurangatch and Mirrigan' documents a creation narrative set along the course of the Wollondilly and Coxs Rivers with their associated tributaries and hinterland. In total, this creation story travels for over 220km between the junction of the Wollondilly and Wingecarribee Rivers in the south-east, to the upper Macquarie River on the western side of the Great Dividing Range north of Oberon.

The story travels through the heart of the Burratorang Valley, detailing the creation of numerous sacred waterholes and other landscape features. These include food and hunting resources, geological features such as aspects of cave systems and underground springs, the channels and peculiarities of rivers and streams, ochre sources, traditional passes through precipitous country and the location of several traditional occupation sites near permanent water. At its closest point, it is less than 70km from the centre of Sydney and is possibly the most intact Aboriginal creation story

close to a major city in Australia. It is arguably as significant an Indigenous landmark as Uluru, Kata Tjuta, Kakadu or Lake Mungo.

At least 90% of the area which would be impacted through inundation of flood water as a result of raising Warragamba Dam relates directly to the creation story.

Gurangatch and Mirrigan were Ancestral figures (*Burringilling*) whose main creative activities occurred during the Gundungurra Dreaming (*Gunyunggulung*). The *Burringilling* had super-human strength and were said to be able to make rivers and other 'natural' features, even cleave mountains. Gurangatch was described as being 'like a gigantic eel' and Mirrigan the hunter as a tiger cat (quoll). The story outlines the epic pursuit of Gurangatch by Mirrigan and the creation of the main watercourses through the mountains by Gurangatch during his flight.

Throughout the course of the 'Journey of Gurangatch and Mirrigan', the story intersects with other traditional Gundungurra stories including the story of the 'Giant Kangaroo' and Burraborang Waterhole from which the Burraborang Valley and Lake Burraborang – Sydney's stored water – take their names, the story of the Black Waterhole and the Ancestor *Nulla*, origin stories regarding the creation of the Waratah, 'Walga the Sparrowhawk' and the importance of the waters of cave systems for healing revolving around the Ancestor 'Gareem', the Ancestor of sickness and health.

The original construction of Warragamba Dam in 1960 flooded an enormous area of Gundungurra Country including nine sacred waterholes and 70km of the Gurangatch and Mirrigan creation story. However, there are areas associated in the hinterland of these waterholes and other flooded sections which remain intact and provide vital information about cultural practices associated with the story. The proposal by Water NSW to raise Warragamba Dam will lead to inundation and destruction of the cultural heritage remaining in these places. In addition, new areas of the story – a further 50km – will be impacted by the proposal including two sacred waterholes. For example, this will include destruction of 'Birrigooroo' Waterhole in the Kedumba Valley, one of the sacred waterholes where Gurangatch's spirit is believed to still reside along with the rarest *Eucalyptus* species in the world, *Eucalyptus benthamii* (known as *Durrum-by-ang* in Gundungurra language) occurs. The cumulative effect of the proposed inundation of these new areas would result in more than half of the Gurangatch and Mirrigan story being significantly impacted by Warragamba Dam.

Aboriginal descendants of the Blue Mountains region are actively engaged in documenting the great cultural links they continue to maintain to the Blue Mountains area, links which continue from the remote past to the present day. Much of this has centered on the links Gundungurra descendants maintain to the Burraborang Valley area and sites associated with the 'Journey of Gurangatch and Mirrigan' and surrounding hinterland. This includes projects with historians, anthropologists, archaeologists, NSW National Parks and Wildlife Service, Water NSW, local councils, and community.

The depth of cultural evidence and knowledge of the area has led to the proposal for the region to be recognised on the National Heritage List for its Indigenous Cultural Heritage values, as a precursor for this to be formally inscribed as part of the Greater Blue Mountains World Heritage Area listing. Recognition of the cultural links Gundungurra people hold to the area was formalised by the granting of the Gundungurra Indigenous Land Use Agreement (ILUA) in 2014 (Gundungurra Area Agreement, NI2014/001). The ILUA covers all of the areas which would be impacted by the proposed Amendment Bill.

The growing body of work by Aboriginal descendants and researchers attests to the fact that the Burraborang Valley is not a wilderness, or a 'natural' area to be 'sacrificed'. There are thousands of

sites with intact Aboriginal cultural material through the area which provide critical tangible evidence of Australia's deep cultural past. Many of these would be permanently impacted by the raising of the dam wall and subsequent inundation.

These include unique rock art sites bearing the hand imprints of generations of Aboriginal people, traditional stories and ceremonial dance depictions, images of Ancestral Figures and highly rare Aboriginal scar trees. Hundreds of thousands of square metres of soil deposit containing vital cultural information regarding the antiquity of Aboriginal occupation of the area, how people effectively managed their land, interacted with changing climates, technology and resources would be utterly destroyed by future flood events.

The proposal would destroy sites associated with the birthplace of Gundungurra family members, burial locations and places where the ashes of Gundungurra descendants continue to be scattered today. These places are highly significant – they demonstrate continuous cultural links from pre to post-contact times and on to the present day. These cultural links have been maintained, often in secret, under the nose and on the doorstep of the biggest city in Australia and despite the significant impacts which establishment of Sydney had on Aboriginal groups of the region.

It may be difficult for some people to feel or understand the deep impact this would have on many people. The Gurangatch and Mirrigan creation story is as sacred and special as the religious beliefs of any other culture including those of wider Australia. The special locations of the story are deeply religious places. The equivalent would be to imagine what impact the flooding of sacred churches and holy places, political 'shrines', war monuments, or sites associated with narratives of universal importance such as areas of the 'Holy Land' or Gallipoli would have?

In order to make known to the wider public what is at stake and in recognition of the deep cultural significance which the area has for Gundungurra people, the Gundungurra Aboriginal Heritage Association and other Gundungurra descendants have nominated the whole of the Gurangatch and Mirrigan creation story as an '**Aboriginal Place**'. An **Aboriginal Place (AP)** is a place which has been so declared by the Minister administering the National Parks and Wildlife Act, (NPW Act) because the Minister believes that the place is or was of special significance to Aboriginal culture. 'Aboriginal Places' are protected under Section 90 of the National Parks and Wildlife Act. It is an offence to destroy, deface or damage an Aboriginal Place without the prior consent of the Director-General of the Office of Environment and Heritage (OEH).

The creation story forms the core of the AP nomination but also includes:

- other stories including the Giant Kangaroo and Burragorang Waterhole, the waterhole from which the stored drinking water of Sydney, Lake Burragorang takes its name
- places of ongoing post-contact survival and unbroken connection including Aboriginal Reserves, sacred waterholes and residential properties
- places of medicinal, resource and totemic significance
- birth and burial locations of Gundungurra family members and known historical personalities
- places of conflict and places of known high archaeological significance.

At its closest point the creation story of Gurangatch and Mirrigan is less than 70km from the biggest city in the country, Sydney. It is possibly the most detailed and intact broad-scale Aboriginal creation narrative close to a major city in the country. It links with several other traditional stories and sites of known Gundungurra significance, both traditional and post-contact. These sites and stories affirm deep Australian traditions, of high significance for **ALL** Australian people. They deny that the area is a 'wilderness', a *terra nullius* for governments to use or 'sacrifice' as they see fit.

The Gurangatch and Mirrigan creation story and wider Aboriginal cultural landscape is as significant as world heritage sites such as Uluru-Kata Tjuta, the Taj Mahal, the Pyramid Fields, Stonehenge, Notre Dame Cathedral, Kakadu, the Opera House, The Great Wall, the Vatican and many other iconic places. Imagine the uproar if these places were proposed to be flooded! I repeat, in an area where it has been generally thought Aboriginal culture 'disappeared', the Gundungurra cultural landscape has survived and on Sydney's doorstep lies one of the biggest and most intact creation stories in proximity to a major city in the country. It shouldn't be lost to anyone, that this creation story is about the creation of the very catchments that Sydney takes its drinking water from today. A portion of this was destroyed to create Lake Burragorang. To lose anymore would be a tragedy not just for Gundungurra descendants, but for all Australians.

