



United Nations  
Educational, Scientific and  
Cultural Organization



Greater Blue Mountains Area  
inscribed on the World  
Heritage List in 2000



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Department of Planning and Environment  
Via Major Projects Website

To whom it may concern

### **Warragamba Dam Raising SSI-8441 EXH-50301210 Response to Submissions**

The Advisory Committee for the Greater Blue Mountains Area World Heritage property (GBMA) is jointly appointed by the NSW and Commonwealth environment ministers to provide advice on the protection, conservation, presentation and management of the GBMA and issues concerning surrounding land uses that have the potential to impact on the area.

Thank you for the opportunity to comment on the Response to Submissions and Preferred Infrastructure Report for the proposal to raise the Warragamba Dam.

This submission reiterates the concerns of the Advisory Committee, raised in previous submissions/correspondence:

- GBMA Advisory Committee submission Warragamba Dam Raising EIS December 2021 (19 December 2021)
- 1808 to NSW Minister re Warragamba Dam proposal (27 October 2018)
- 1808 to Legislative Council Standing Committee on State Development Warragamba Dam proposal (2 October 2018)

The Advisory Committee notes the proposal will have a significant impact, on the Outstanding Universal Value (OUV) of the GBMA and is incompatible with World Heritage status and therefore:

- is strongly opposed to the destruction of significant species, habitat, fauna and ecological processes – the core values against the World Heritage criteria and its Outstanding Universal Value (OUV).
- advises the Aboriginal cultural values of the GBMA are formally part of its OUV
- strongly urges that no final decision on the project should be taken until the impact, not only on Aboriginal sites and objects is taken into account, but the impact on the affected region as a cultural landscape be assessed. This includes a very strong recommendation that a decision on this project proposal is deferred until the Aboriginal Place assessment and Aboriginal Torres Strait Island Heritage Protection Act application is complete.
- is aware that the concept of ‘free prior and informed consent’ in the United Nations Declaration on the Rights of Indigenous Peoples is not reflected in Australian or NSW law. However, remains concerned that the Aboriginal community, particularly the Gundungurra, have not given their free, prior and informed consent to the project so we fully support the strong objection to the project by Aboriginal people.

- strongly recommends that the outcome of the Australian Government's GBMA National Heritage List assessment of adjacent lands, additions to the constituent reserves and other values is finalised prior to any decision on this proposal
- notes that despite the formality of a minor boundary adjustment, recommends the additions to the Blue Mountains National Park in the potential inundation area, are included in the calculation of area of impact, as they are currently managed for their OUV.
- remains concerned that WaterNSW did not deliver on the commitment made regarding post fire evaluation
- recommends that the assessment acknowledge all flora and fauna species, not just conservation significant, are recognised as attributes/components of OUV. Diminishment of OUV at any level is not acceptable.
- notes that the Convention Concerning the Protection of the World Cultural and Natural Heritage includes 'transmission to future generations of the cultural and natural heritage' therefore strongly recommends that in the event of offsets or funding to support management of World Heritage values should be in perpetuity.
- strongly recommends that the total area of national park lands impacted must be calculated or account for their National and World Heritage values as part of offsets, noting IUCN has stated –“it should be noted that OUV, confirmed through the inscription of the property, cannot be subject to excisions and compensation on an area basis. In principle, IUCN considers that OUV cannot be offset and therefore the concept of compensation plots for the planned loss of OUV is not appropriate.”
- recommends the project should not proceed until offsets are identified, costed and made publicly available for comment.

The Committee will continue to advise the NSW and Australian government Ministers responsible for World Heritage to very carefully consider the adverse impacts on the GBMA World and National Heritage property when final decisions are being made about the proposal.

Please contact our Executive Officer, Jacqueline Reid via email [gbm.worldheritage@environment.nsw.gov.au](mailto:gbm.worldheritage@environment.nsw.gov.au) or telephone 0419 307 099 for any further information.

Yours sincerely,



Bruce Leaver, AM  
**Chair**  
**Greater Blue Mountains World Heritage Area Advisory Committee**

12 December 2022