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AUSTRALIA ICOMOS POSITION STATEMENT ***Water NSW Amendment (Warragamba Dam) Bill 2018***

Australia ICOMOS is concerned that the *Water NSW Amendment (Warragamba Dam) Bill 2018* could have irreversible impact on the significance of the Greater Blue Mountains World Heritage Area (GBMWhA). We are particularly concerned that the longer-term proposal to raise the Warragamba Dam wall by 14 metres will allow for periodic inundation of parts the Greater Blue Mountains and adjacent areas that are currently being assessed for potential National Heritage values.

Australia ICOMOS (International Council on Monuments and Sites) is a non-government, not-for-profit organisation of cultural heritage professionals formed as a national chapter of ICOMOS International in 1976. Our mission is to lead cultural heritage conservation in Australia by raising standards, encouraging debate and generating innovative ideas. ICOMOS is also an Advisory Body to the UNESCO World Heritage Committee under the World Heritage Convention.

The proposed NSW legislation will affect a World Heritage property, a National Heritage place, two national parks, a declared Wilderness area, a declared Wild River, and the Warragamba Special Catchment Area. The GBMWhA, which is recognised globally for its biodiversity and rare species, was nominated by Australia, with the support of the NSW Government, in the 1990s and inscribed as a natural World Heritage place in 2000. Relevantly, when Australia first nominated the Greater Blue Mountains it did so for both natural and cultural reasons.

Parts of the area are currently on the Australian Heritage Council's Priority Assessment List and are being evaluated for a range of potential cultural National Heritage values. It is inappropriate, as a matter of proper process, for the NSW Parliament to be considering enabling legislation that would impact upon established World or National Heritage values or potential National Heritage values.

The proposed dam wall raising could result in the periodic inundation of up to 1,000 hectares of the GBMWhA and 3,700 hectares of national park lands including impacts on eucalypt species, which contribute to the Outstanding Universal value of the GBMWhA, and both known and unknown Aboriginal cultural heritage sites. Australia ICOMOS understands that the cultural heritage survey undertaken as part of the impact assessment for the dam wall project comprised 25 days across a 354 square kilometre section around the shores of Lake Burratorang. This timeframe appears to be manifestly inadequate, either to identify the cultural heritage places which may be affected or to engage appropriately with, or to seek consent from, the relevant Gundungurra Traditional Owners.

Australia ICOMOS is therefore of the opinion that:

- The proposed raising of the Warragamba Dam wall has potential to affect the integrity of the GBMWhA and therefore to impact adversely upon the Outstanding Universal Value of this World Heritage property.
- Under Article 4 of the *World Heritage Convention*, Australia is obliged (among other things) to do all it can, using the utmost of its own resources, to identify, protect, and conserve the cultural and natural heritage of GBMWhA – neither the decision making process for the proposed raising of the Warragamba Dam wall nor the pre-emptive proposed NSW enabling legislation comply with these obligations.
- Best practice heritage practice, including the *Burra Charter*, (the Australia ICOMOS Charter for Places of Cultural Significance), requires that the values of a place of cultural significance should be identified prior to decisions which affect those values, and that, while considering and managing

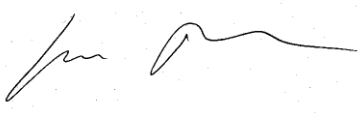
other factors, a primary objective should be conservation of those values. The proposed raising of the Warragamba Dam wall, the process for decision making and the proposed NSW legislation do not meet this standard.

- A thorough cultural heritage survey and assessment process, articulation of ALL cultural (and natural) values and completion of the current National Heritage Values assessment should ALL precede any precipitative action in this matter, including particularly the proposed enabling legislation.
- The *Water NSW Amendment (Warragamba Dam) Bill 2018*, represents a potential threat to the GBMWhA, within the meaning of paragraph 179 (b) of the *Operational Guidelines to the World Heritage Convention*.

Australia ICOMOS recommends the following urgent actions:

1. The NSW Government seriously and substantively consider alternatives to the proposed raising of the Warragamba Dam wall;
2. The NSW Government suspend any decision about the proposed raising of the Warragamba Dam wall until the Australian Heritage Council has completed the current Priority Assessment List process;
3. The NSW Government allow adequate time and resources for further assessment of the proposal, including comprehensive identification of all cultural and natural values that may be affected, and meaningful engagement with Traditional Owners, so as to support a best-practice decision-making process; and
4. Australia ICOMOS notes the the recent World Heritage Committee Decision regarding the Greater Blue Mountains World Heritage Area and supports the process recommended for assessing and reviewing the heritage impacts of the Warragamba Dam proposal.

Australia ICOMOS has outlined these concerns and actions to the NSW Minister for the Environment, Minister for Local Government and Minister for Heritage; the Commonwealth Minister for the Environment; and the ICOMOS Secretariat in Paris regarding this matter.



IAN TRAVERS
President, Australia ICOMOS