



United Nations  
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# World Heritage

# 43 COM

WHC/19/43.COM/7B.Add

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## UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

## CONVENTION CONCERNING THE PROTECTION OF THE WORLD CULTURAL AND NATURAL HERITAGE

### WORLD HERITAGE COMMITTEE

#### Forty-third session

Baku, Republic of Azerbaijan  
30 June - 10 July 2019

**Item 7B of the Provisional Agenda:** State of conservation of properties  
inscribed on the World Heritage List

### SUMMARY

This document contains information on the state of conservation of properties inscribed on the World Heritage List. The World Heritage Committee is requested to review the reports on the state of conservation of properties contained in this document. The full reports of Reactive Monitoring missions requested by the World Heritage Committee are available at the following Web address in their original language: <https://whc.unesco.org/en/sessions/43COM/documents>

All previous state of conservation reports are available through the World Heritage State of conservation Information System at the following Web address: <https://whc.unesco.org/en/soc>

**Decision required:** The World Heritage Committee may wish to adopt the draft Decision presented at the end of each state of conservation report.

**2. Greater Blue Mountains Area (Australia) (N 917)**

Year of inscription on the World Heritage List 2000

Criteria (ix)(x)

Year(s) of inscription on the List of World Heritage in Danger N/A

Previous Committee Decisions see page <http://whc.unesco.org/en/list/917/documents/>

International Assistance

Requests approved: 0

Total amount approved: USD 0

For details, see page <http://whc.unesco.org/en/list/917/assistance/>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

N/A

Factors affecting the property identified in previous reports

Potential extension of a mining lease (issue resolved)

Illustrative material see page <http://whc.unesco.org/en/list/917/>

Current conservation issues

In recent years, particularly 2018 and 2019, the World Heritage Centre received various third party information raising concerns about development proposals in the vicinity of the property and their potential threats to its Outstanding Universal Value (OUV), particularly the construction of the Western Sydney Airport, the Bylong Coal project, the proposal to raise the Warragamba Dam wall and a high-speed transit tunnel.

On 20 December 2018, the State Party responded to letters from the World Heritage Centre and, on 11 April 2019, submitted a report on the state of conservation of the property, available at <http://whc.unesco.org/en/list/917/documents/>, which provides the following information:

- There is no mining within the property and all mining projects located outside the property have been or are being assessed for their potential impacts on the property under the Environment Protection and Biodiversity Conservation Act (EPBC Act);
- The Bylong Coal Project had been previously assessed and was considered unlikely to have significant impacts on the OUV of the property. This decision was recently reconsidered by the Minister of the Environment, based on newly available information, and it was reaffirmed that the project would not result in significant impacts on the OUV of the property;
- In July 2015, coal fines from the Clarence Colliery collapsed into the Wollangambe River, resulting in pollution within the property. The mining company was prosecuted and requested to pay an environmental compensation, in addition to covering clean-up works. The State Party investigated the incident and remediation works, and concluded that there have been no long-term impacts on the OUV of the property;
- The proposal to raise the Warragamba Dam wall by 14 meters for flood mitigation purposes is being assessed under the EPBC Act and an Environmental Impact Statement (EIS) is being prepared to fully assess potential impacts on the OUV. The State Party reported that the raising

of the wall is expected to increase the frequency and extent of temporary inundation upstream of the dam;

- In October 2018, the New South Wales (NSW) Parliament passed an amendment to the Water NSW Act 2014, exempting the Warragamba Dam from the prohibition to increase temporary inundation in a national park provided for by the NSW National Parks and Wildlife Act 1974. However, this amendment on its own does not constitute an approval for raising of the Warragamba Dam;
- A Strategic Management Framework is being developed and should replace the existing Strategic Plan for the property, as an integrated management instrument;
- In 2016, the construction of the Western Sydney Airport was approved, following the conclusions of the EIS that significant impacts on the OUV of the property were unlikely, but that there might be “some noise impacts on amenity within the property”, which should be minimized through the airspace and flight path design. The latter will be subject to a separate assessment under the EPBC Act, expected to be released for public comment in 2021.

Regarding a high-speed transit tunnel project, the State Party provided information to the World Heritage Centre on 15 January 2019 that it was not aware of any serious discussions on the matter and has not received a referral for this proposal under the EPBC Act. The State Party will therefore inform the Committee of any action that may significantly impact the OUV of the property, in accordance with Paragraph 172 of the *Operational Guidelines*.

#### Analysis and Conclusions of the World Heritage Centre and IUCN

The confirmation provided by the State Party that the EIS for the proposal to raise the Warragamba Dam wall will fully assess all potential impacts on the property's OUV and its other values, including Aboriginal cultural heritage, is welcomed. However, it is noted with concern that both the State Party and the information received by the World Heritage Centre from different third party sources confirm that the raising of the wall will result in the increase of the frequency and extent of temporary inundation in the property. Such inundation of any areas within the property is likely to impact on its OUV. It is therefore recommended that the Committee request the State Party to ensure that, in line with its commitment, all potential impacts on the OUV are assessed in detail by the EIS, which will be submitted to the World Heritage Centre for review by IUCN, prior to taking any final decisions regarding the project. The Committee may also wish to recall Decision **40 COM 7**, para.17, in which it considered that the construction of dams with large reservoirs within the boundaries of World Heritage properties is incompatible with their World Heritage status, and urged States Parties to “*ensure that the impacts from dams that could affect properties located upstream or downstream within the same river basin are rigorously assessed in order to avoid impacts on the Outstanding Universal Value*”.

While the State Party's confirmation that no mining occurs within the property and that all mining projects in its vicinity have been or are being assessed for potential impacts on the property is noted, it is of concern that several mining projects exist in the vicinity of the property and that some mining activities have resulted in impacts on the property, as evidenced by the incident at the Clarence Colliery. While the confirmation that no long-term impacts on the property from the incident are expected is noted, it needs to be stressed that, for some projects mentioned in the information submitted by the State Party, such as the Airly Mine Extension Project, potential risks to the OUV have been identified, and the approvals for these projects included conditions that have to be fulfilled in order to minimize risks, such as implementation of a site water management system. It is recommended that the Committee reiterate its position that mineral exploration or exploitation is incompatible with World Heritage status, which is supported by the International Council of Mining and Metals (ICMM) Position Statement of not undertaking such activities within World Heritage properties.

For the South Bates Extension project, the report states that, since the property is not inscribed for its geological values, potential cliff instability resulting from the mining activities would not affect its OUV. However, it should be recalled that the Statement of OUV of the property specifically notes the importance of the geology and geomorphology for providing the physical conditions that support its biological values recognized under criteria (ix) and (x). While some mines were in existence near the property at the time of inscription, it will be important to consider whether the number of mining projects and activities in the vicinity of (or even adjacent to) the property might cumulatively result in any significant impact on its OUV. It should be recalled that this property does not have a formal Buffer Zone, increasing its vulnerability to edge effects. It is therefore recommended that the Committee request the

State Party to undertake an assessment of potential cumulative impacts of existing and planned mining projects in the vicinity of the property.

The information provided by the State Party regarding the Western Sydney Airport is noted, and it is recommended that the Committee request the State Party to submit to the World Heritage Centre a copy of the EIS detailing the anticipated airspace and flight path operations, once available, for review by IUCN.

Finally, it is recommended that the Committee request the State Party to ensure that potential threats to the property from activities outside its boundaries, particularly mining, are fully considered in the development of the Strategic Management Framework.

### **Draft Decision: 43 COM 7B.2**

*The World Heritage Committee,*

1. *Having examined Document WHC/19/43.COM/7B.Add,*
2. *Recalling Decision **28 COM 15B.15**, adopted at its 28th session (Suzhou, 2004),*
3. *Notes with concern that the State Party recognizes that the proposed raising of the Warragamba Dam wall is expected to increase the frequency and extent of temporary inundation of the property upstream of the dam;*
4. *Considers that the inundation of areas within the property resulting from the raising of the dam wall are likely to have an impact on the Outstanding Universal Value (OUV) of the property, recalls Decision **40 COM 7**, in which it considered that the construction of dams with large reservoirs within the boundaries of World Heritage properties is incompatible with their World Heritage status, and urged States Parties to “ensure that the impacts from dams that could affect properties located upstream or downstream within the same river basin are rigorously assessed in order to avoid impacts on the OUV”, and requests the State Party to ensure, in line with its commitment, that the current process to prepare an Environmental Impact Statement (EIS) for the proposal fully assesses all potential impacts on the OUV of the property and its other values, including Aboriginal cultural heritage, and to submit a copy of the EIS to the World Heritage Centre for review by IUCN, prior to taking any final decisions regarding the project;*
5. *Also notes with concern that several mining projects exist in the vicinity of or adjacent to the property, and that some mining activities have resulted in impacts on the property, as evidenced by the incident at the Clarence Colliery, and also requests the State Party to undertake an assessment of potential cumulative impacts of all existing and planned mining projects in the vicinity of the property through a Strategic Environmental Assessment (SEA) or a similar mechanism;*
6. *Reiterates its position that mineral exploration or exploitation is incompatible with World Heritage status, which is supported by the International Council of Mining and Metals (ICMM) Position Statement to not undertake such activities within World Heritage properties;*
7. *Notes the information provided by the State Party regarding the Western Sydney Airport proposal and further requests the State Party to submit to the World Heritage Centre a copy of the EIS for the anticipated airspace and flight path operations, once available, for review by IUCN;*

8. *Welcomes the development of a Strategic Management Framework for the property as a new integrated management instrument and requests furthermore the State Party to ensure that potential threats to the property from activities outside its boundaries, particularly mining, are fully considered in the development of this management framework and that the EIS required are carried out in conformity with IUCN's World Heritage Advice Note on Environmental Assessments, with a specific section focusing on the potential impact of the project(s) on the property's OUV;*
9. *Finally requests the State Party to submit to the World Heritage Centre, by **1 December 2020**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 45th session in 2021.*