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Nature Conservation Saves for Tomorrow

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Dear Sir/Madam,

The Gardens of Stone SCA Draft Plan of Management

The Society is very pleased with the NSW Government's decision to create the new Gardens of Stone State Conservation Area (the SCA). The three wooded state forests (Newnes, Wolgan and Ben Bullen) which make up the SCA were an important gap in the protection of the natural environment in the Lithgow and Greater Blue Mountains area. Protection has been a long time coming. Reservation marks the beginning of professional park management over this spectacular area which has been left at the mercy of unregulated high impact recreational activities for too long. The Society welcomes the planning now underway to make this a reality and make this amazing area more readily accessible. It also welcomes the considerable funding allocated to the SCA. So it is disappointing that the Draft Plan of Management for the Gardens of Stone State Conservation Area (DPOM) appears to have been rushed and is too brief to address all the challenges ahead. The Society believes that the DPOM should be withdrawn, rewritten and re-exhibited for comment.

DPOM is too brief on conservation values

The nature of the DPOM can really be described as ideas that are yet to be developed. It is surprisingly short and lacking detail including information which is readily available. The lack of depth means that the significance of the natural values of the SCA are not adequately described. Consequently, this creates a risk that the environmental impacts of proposed or future recreational activities may not be fully assessed. An example is the proposal to locate an adventure activity hub in the Lost City area which would require installation of infrastructure. This would blight one of the most spectacular pagoda landscape views (the Lost City) and put the fragile pagodas at risk of damage from both the infrastructure and from users of the activity hub.

The DPOM contains a planning framework which will not regulate a lot of activities in any meaningful way. It is envisaged that additional non-statutory sub plans will do

this.[p.4] The revised plan should define the location and extent of proposed visitor facilities and access, with criteria set out that ensure this work is done in a sustainable manner. The plan of management for a reserve under the *National Parks and Wildlife Act (NPW Act)* is a statutory instrument that should provide a clear plan of management with sufficient detail to ensure appropriate protection of the values of the reserved land. Other subsidiary plans such as masterplans do not have this force.

Lack of detail downplays the biodiversity of the SCA

“30G State conservation areas

- (1) The purpose of reserving land as a state conservation area is to identify, protect and conserve areas—
- (a) that contain significant or representative ecosystems, landforms or natural phenomena or places of cultural significance, and
 - (b) that are capable of providing opportunities for sustainable visitor or tourist use and enjoyment, the sustainable use of buildings and structures or research, and
 - (c) that are capable of providing opportunities for uses permitted under other provisions of this Act in such areas, including uses permitted under section 47J, so as to enable those areas to be managed in accordance with subsection (2).
- (2) A state conservation area is to be managed in accordance with the following principles—
- (a) the conservation of biodiversity, the maintenance of ecosystem function, the protection of natural phenomena and the maintenance of natural landscapes,
.....
 - (d) provision for sustainable visitor or tourist use and enjoyment that is compatible with the conservation of the state conservation area’s natural and cultural values and with uses permitted under other provisions of this Act in such areas,”

The DPOM’s section on the Significance of the SCA (Section 2) covers aboriginal culture, geodiversity, the pagoda landscape, rich biodiversity and recreation activities. This is an important early section in a DPOM as it explains why the land has been reserved under the *NPW Act* and so should clearly state the context for future management decisions about that land. However, the section on biodiversity seems very scant (about a page in total across pages 2, 3 and 6). Sources used to provide biodiversity information are not mentioned so it is unclear how comprehensive this information is.

Information on the conservation values of the SCA is available from a range of sources. These include records such as Bionet and threatened species records and recovery plans. The flora, fauna, hydrology and swamps of the SCA area have been studied and surveyed for environmental impacts statements (EIS) accompanying proposed mining projects. In the last ten years there have been two major proposals: the Coalpac open cut mining in the former Ben Bullen SF surrounding the town of Cullen Bullen (which was rejected) and Springvale Mine extension of underground long wall mining beneath Newnes State Forest including the extensive swamp network (which was approved). Protection of the swamps from threatening processes particularly underground longwall mining has been addressed, for instance, in the reports of the Commonwealth Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC) and the Springvale Mine Independent Experts Panel. Further, the role of swamps in the SCA have been the subject of two court cases to protect Sydney’s drinking water catchment and supply

from pollution flowing via Coxs River. Projects and studies have been funded through the Save our Species program and managed by Local Land Services in the Gardens of Stone state forests. All this could inform the DPOM along with publications and studies such as *The Gardens of Stone Reserve Proposal. Towards National Heritage* (2016) by Ian Brown,¹ Doug Benson and Judy Smith, “Protecting biodiversity values in response to long-term impacts” in *Values for a new generation* (2015) Chapter 2 and Wray and Washington, “The geoheritage and geomorphology of the sandstone pagodas of the north-western Blue Mountains region (NSW)”²

In assessing the Coalpac mining proposals for the former Ben Bullen State Forest area in 2012, the Planning Assessment Commission (PAC) said that “the pagoda landform should be afforded special significance status and the highest level of protection”. The Department of Planning and Environment agreed in 2013 saying that “The department believes that the PAC’s classification of the pagoda landform as a natural feature or special significance is appropriate and agrees that these features warrant the highest level of protection.” The PAC subsequently refused this development.

The SCA’s high elevation is another aspect of the significance of this new reserve. It should be noted that elevationally restricted montane ecosystems (as occur in the SCA) are considered the most vulnerable ecosystems in Australia to tipping points, that is, in which modest environmental changes can cause disproportionately large changes in ecosystem properties.³ The DPOM should clearly state the important value of the area as a potential climate refuge for flora and fauna. The altitudinal range of the park means that it is likely to become increasingly important as a refuge for plant and animal species responding to climate change and associated extreme climatic events. The three state forests are contiguous with Newnes Plateau and contain “very important areas of high level sandstone plateau with many restricted plant species and endangered plant communities not currently in the Greater Blue Mountains World Heritage Area (GBMWHa)”. They have exceptional geodiversity as the heart of the platy pagoda heartland.⁴

The DPOM refers to “42 threatened plant species”. It is more likely that this figure includes rare plants (ROTAP) as well so this should be clarified.⁵ The DPOM should also provide the conservation status of each threatened species.

The DPOM fails to state that the SCA contains two former flora reserves: Snow Gum in Lost City and Birds Rock. Flora Reserves are created under the *Forestry Act NSW*. They are protected for their significant conservation values and have a higher conservation protection than state conservation areas, for instance, mining is banned in flora reserves. Forestry reserves are recognised in the dedicated reserve system and cannot be revoked except by an Act of Parliament. These flora reserves existed

¹ For instance from p.9

² Published in the *Proceedings of the Linnæan Society of NSW* 132,131-143.

³ Willian F Laurence et al, “The 10 Australian ecosystems most vulnerable to tipping points”, *Biological Conservation* 2011.

⁴ Benson and Smith, p.55

⁵ See for instance, Ian Brown, “The Gardens of Stone Reserve Proposal. Towards National Heritage’.2016 though the area may not be identical.

presumably until Newnes State Forest was revoked to create the SCA, however, the flora and fauna should be recognised in the significance of the SCA.

Key attributes of the Snow Gum Flora Reserve include “A high quality stand of Wolgan Snow Gum) *E. gregsonia* and Whip-Stick Ash (*E. multicaulis*) which has a restricted distribution in the Newnes area occurring only in localised patches.” The working plan’s objective is to protect the snowgums and “...the lookout and main access point for the ‘Lost City’ – a distinctive geological landscape of ‘beehives’ and ‘pagodas’ which is considered a feature of the area.” The topography is described as including “cliffs up to 40 metres in height ranging from 980m on Marangaroo Creek to 1140 metres in the north-east of the reserve”.⁶ The working plan include flora and fauna known to occur in the reserve and recorded in or near the reserve. These details are particularly relevant to the adventure activity hub proposed for the Lost City area and the legislative requirement that ‘sustainable visitor or tourist use ... is compatible with the conservation of the state conservation area’s natural and cultural values’.⁷

Birds Rock Flora Reserve (415 hectares) has key attributes including “a good quality stand of Blue Mountains Ash which is nearing the edge of its distribution west on the Newnes Plateau” and “the Bird Rock rock formation and lookout”.⁸ “Elevations in the (Flora) reserve rise from about 870 metres to over 1170 metres in the vicinity of Birds Rock Trig”. “There are large areas of bare rocks associated with the cliffs (up to 50 metres high) and interesting and elegant wind eroded formations are relatively common (eg “beehives” and “pagodas”)”.⁹ The plan’s objectives are to protect the flora and fauna particularly the Blue Mountains Ash of the reserve and the Birds Rock rock formation.¹⁰

The DPOM also does not state that the SCA also contains an area of identified wilderness in the south-east identified by NPWS in 1997.¹¹ This and another area of identified wilderness, now part of Wollemi National Park, “...would make a significant contribution to the protection of intact ecosystems within the adjacent GBMWhA”¹² There is also declared wilderness in Blue Mountains National Park and extending into Wollemi National Park on the eastern boundary of the SCA. ¹³ These need to be taken into account in any proposed uses of the land.

Newnes Plateau also contains a number of ancient aeolian sand dunes which have been found to date back to the Last Glacial Maximum (about 20,000 years ag), a more arid, colder and possibly windier time. The bulk of the sand dune building probably stabilised about 15,000 years ago. “The dunes are up to one hundred metres long and three to six metres high”.¹⁴ Wray and Washington consider the dunes to be of national geodiversity significance as they provide an important window into changing

⁶ *Working Plan for Snow Gum Flora Reserve*, NSW Forests 2011, p.2

⁷ *NPW Act*, s.30G (2) (d)] referred to above.

⁸ *Birds Rock Working Plan*, NSW Forests, 2016, p.2

⁹As above p. 2

¹⁰ As above p. 5

¹¹ *Gardens of Stone Visitors Map*, Gardens of Stone Alliance, 2016

¹² Brown, p.61

¹³ *Blue Mountains National Park Plan of Management*, p. 41.

¹⁴ Brown, p.20. Hesse et al,(2013) “Late Quaternary aeolian sand dunes on the presently humid Blue Mountains, Eastern Australia” *Quaternary International*, 108, 338-339.

climate and landscape processes in Australia. ...These dunes are in fact the only known high altitude example in Australia of aeolian deposits formed in the last Ice Age.”¹⁵

Consequences of downplaying biodiversity values

The DPOM underplays the biodiversity values in section 3.1 Factors that have shaped this plan. The DPOM states that “a detailed understanding of ecosystem function, biodiversity values and threats to these values is not yet in place”. There is, however, sufficient knowledge, including from the sources mentioned earlier, to know that the biodiversity of the area is highly significant.

The information in the DPOM, for instance, should make clear that White Box-Yellow Box- Blakelys Red Gum community is listed as a Critically Endangered Ecological Community (uplisted from Endangered Ecological Community in July 2020) [at p.2]. The profile for the White Box - Yellow Box - Blakely's Red Gum Grassy Woodland states that threats to the community include human disturbance by off road vehicles, camping, other recreational activities and dumping.¹⁶

The DPOM refers to “additional vegetation communities that are of limited distribution or were previously unrepresented in the reserve system” [p.2]. It should also state how many additional communities in the SCA are of limited distribution or were previously unrepresented in the reserves system because previously unrepresented communities would be highly significant. There should also be discussion of plants, animals and vegetation communities that are significant because they are endemic, at the edge of their range or with disjunct populations.

It is clear that this plan has been put together too hastily and could lead to an inadequate environmental assessment of development proposals and therefore inadequate protection. The NPWS should give the highest priority in the DPOM to urgently remedying the stated lack of knowledge. This should precede planning of visitor opportunities which must be compatible with the conservation of the park's natural and cultural values. NPWS has an important responsibility under the *NPW Act* in which “Conservation of the biodiversity, the maintenance of the ecosystem function, protection of natural phenomenon and the maintenance of natural landscapes“ is the first of the management principles for state conservation areas (s.30G (a)).

The establishment of the park as a major sustainable visitor destination is a key driver for this plan. The DPOM enables the development of the adventure activity hub at Lost City and a multi-day walk (discussed below). National parks are a well-known category with proven ability to attract many visitors. However, to achieve that benefit, the activities must be consistent with the *NPW Act* and, in particular, be compatible with natural and cultural values. The *Destination Pagoda* vision for providing a nature-based tourism location was one suggested way of achieving this balance.

¹⁵ Quoted in Brown, p.15

¹⁶ NSW Office of Environment and Heritage (updated March 2022)

Objectives and content of plans of management

NPW Act s.72AA (1) states that “The following matters are to be taken into consideration in the preparation of a plan of management for land reserved under this act” and lists 23 items. This section implies it is a mandatory requirement, however, this is not always observed in the DPOM. The proposal to locate an adventure activity hub in the Lost City area is referred to in the DPOM without addressing s.72AA (d) and (e).

“(d) the protection of landscape values and scenic features”,

The proposal for an “adventure activity precinct” which may include visitor infrastructure to support a range of adventure activities such as rock climbing, abseiling, canyoning, zip-lining, elevated walkways and via ferrata” at the Lost City [p.5 and figure 3]. Yet how the widely recognised “landscape values and scenic features” of Lost City would be protected is not addressed.

(e) the protection of geological and geomorphological features,

Likewise, the DPOM has disregarded how this adventure activity precinct at Lost City can be created yet also protect the nationally and internationally recognised pagoda landscape and rock formations. It needs to show how they would be protected from the installation of infrastructure to allow these activities or from people climbing over the fragile pagoda rocks while participating in these activities.

(f) the protection of wilderness values and the management of wilderness areas,

There is no reference to the identified wilderness area in the SCA nor how the parts of the SCA adjacent to dedicated wilderness, for instance, in the Blue Mountains and Wollemi National Parks might need to be managed and what uses would be permitted there.

(h) the rehabilitation of landscapes and the reinstatement of natural processes,

There is no reference to the rehabilitation of nationally listed swamps damaged or completely destroyed by underground mining in the SCA nor how the remaining swamps would be more successfully protected from the continuing underground mining from Springvale and possibly other future mine proposals. Nor is there any mention of how the Centennial Coal’s substantial funds to address this damage will be used as has been required by the Commonwealth Government under *Environmental Protection and Biodiversity Conservation Act*.

(o) the preservation of catchment values,

There is no mention of how the SCA will be managed to preserve the catchment values of the rivers in the SCA both in local catchments and as a filter to provide water for Sydney’s protected drinking water catchment via the Coxs river and its tributaries. These issues have been vigorously explained, contested and enforced through the assessment of multiple development applications for mining extensions and modifications in the now SCA as well as through several court actions by

environmental organisations. Climate warming makes catchment protection more challenging and so even more important.

(q) the identification and mitigation of threatening processes,

There is virtually no mention of threatening processes, for instance, in relation to threatened species and ecological communities in the SCA and no mention of what recovery plans exist for these species and communities. Mining operations outside the SCA have long been recognised as a threatening process. The recent experience of mining causing pagodas cracking in nearby Mugii Murum-ban SCA is just one example, along with the loss of waterfalls and drying out of nationally listed swamps in the SCA, of how serious this threat is and how vigilant and proactive park managers will have to be. Subsidence causing water loss and drying of swamps followed by extremely intense climate induced bushfires have utterly destroyed some swamps in Newnes Plateau.¹⁷

r) the statutory natural resource management, land use management plans and land management practices of land surrounding or within a region of the reserved land,

There is no reference to the land management plans or practices of the surrounding land or region. For instance, the SCA shares a boundary with several national parks and also industrial and industrial uses. For instance, pollution for Clarence Colliery just outside the SCA has impacted on the Wollangambe River near its headwaters which then flows through the Blue Mountains National Park causing significant pollution to the river from its operation and the massive coal fines spill in 2015. Coal mining both underground and open cut is currently permitted and operating just outside the SCA boundaries. There are also several closed mines which are continuing to pollute the area.

(s) the regional, national and international context of the reserved land, the maintenance of any national and international significance of the reserved land and compliance with relevant national and international agreements, including the protection of world heritage values and the management of world heritage properties,

Surrounding lands and lands adjacent to the GBMWHa are not mentioned eg in relation to proposed walks between Wollemi National Park and the SCA. The GBMWHa is a world heritage property without formal buffer zones which is an unusual situation for more recent world heritage declarations. The Commonwealth Government has maintained that the surrounding naturally vegetated areas are regulated to protect the GBMWHa through the operation of Commonwealth environment legislation and the NSW planning assessment legislation. Yet these acts have not prevented damage occurring to nationally listed swamps or other aspects of the rich biodiversity of the SCA as Benson and Baird shows, for instance. The GBMWHa Strategic Plan should also be a reference document for the DPOM as it identifies issues that properties adjoining the GBMWHa need to be aware of and address.

¹⁷ Benson and Baird, "...Serious impacts of longwall coalmining on endangered Newnes Plateau Shrub Swamps, exposed by the December 2019 bushfires" *Australian Plant Conservation* (2020) 29, 12-15..

The high elevation area of the SCA has important biodiversity values that complement the internationally outstanding biodiversity values of the GBMWHa as well as its own values. In 2015 the GBMWHa Advisory Committee recommended that the area be considered as a potential future addition of high importance to the GBMWHa. Addition of the SCA to the GBMWHa would extend the area of high elevation and high rainfall lands in the GBMWHa. Such high elevation lands are limited in extent. Adding lands that extend and enhance the range of geographical gradients in the GBMWHa is an important and necessary consideration.¹⁸

NPW Act s.72AA (2) also states that “A plan of management must include the means by which the responsible authority proposes to achieve the plan’s objectives and performance measures”. This also implies it is a mandatory requirement. Yet this is only done in a cursory way through the diagram of the Park Planning Framework [p4].

The first paragraph of 3.2.1 The Park Planning Framework appears to redefine the requirements of s.72AA (4) or provide an interpretation of the meaning of the words ‘scheme of operations’.

“s.72AA (4) “A plan of management is to contain a written scheme of operations which it is proposed to undertake in relation to the land that is the subject of the plan of management.”

The Mt Canobolas SCA Plan of Management (PoM), for instance, provides a clear example of a ‘scheme of operations’ as recently as 2019. This scheme lists specific actions under four objectives and assigns priorities to each action (within 3/5/10 years). It does not rule out further public consultation.¹⁹ In contrast the SCA merely uses a diagram to name sub-plans to be written at some unknown future time. Everything in the DPOM is a high priority which is an ineffective way to proceed on any project. These sub-plans also would have no statutory force. It states that...

“In response to the complexity and dynamic nature of park management NPWS now implements plans of management through a framework-based approach to park operations. This approach gives effect to the requirement for a scheme of operations consistent with the requirements of s.72AA(4).”

This section of the DPOM appears to be redefining what constitutes a scheme of operations contains without amending the legislation. This would set a undesirable precedent for all future plans of management if it allows them to reduce the plan of management to something like a plan outline or list of contents.

Regarding Section 4 Management Objectives and Strategies, S.72AA (2) states that

“A plan of management must include the means by which the responsible authority proposes to achieve the plans objectives and performance measures”

This implies another mandatory requirement, however, there is no mention of actions or performance measures in the DPOM. Performance measures are more than the achievement of an objective. They are one level down and address how well something is done against identified measurable parameters such as time, cost and quality.

¹⁸ Benson and Smith 2015

¹⁹ Mt Canobolas State Conservation Area, Plan of Management, 2019, p.14

Objective 4.2 Setting a sound foundation for conservation of biodiversity should be the highest priority objective of the DPOM as it is in the *NPW Act* S.30G (1) (a). This foundation is required before elaborate visitor attractions are initiated. The biodiversity and ecosystem function needs to be adequately defined. There should also be an objective to conserve geodiversity, some of which is internationally significant (platy pagodas),²⁰ as previously discussed. This is the section where there is the most reference to biodiversity but it is merely a plan that foreshadows what will be done. It is a more like to do list.

Proposed recreational uses and tourism opportunities should be compatible with park's natural and cultural values

Establishing a major new visitor destination in the Blue Mountains is listed as the first objective for the SCA [section 4, p.5]. This is surprising as the first objective of a state conservation area is conservation. "Setting a sound foundation for the conservation of biodiversity" is the second objective. The order does send a message about the relative importance of these items for the SCA as recreational uses are being pushed ahead.

Virtually all the important management issues relating to permitted and recreational uses are usually defined within a PoM. Most PoMs contain a table of authorised activities or recreational uses. This provides clear rules of what is permitted or not permitted in the reserve and is a reference for recreational park users. During the preparation of a PoM through the public submission process these are commented on, considered and then decided when the Minister approves the Plan.

However, in the SCA case, statements about several permitted uses are weakened by allowing decisions to be made in certain circumstances outside the PoM. SCA contains an Authorised Activities table (Table 1) which includes commercial and visitor activities. This Table states the rules but allows bending of the rules for vehicle access, motorbike access, horse-riding and cycling by stating that access "may be authorised" for additional routes through specific designation [pp.9-10]. This weakens the role of the PoM. These uses can be damaging for the conservation values being protected. For instance, access arrangements can threaten biodiversity values depending on how they are managed yet access is proposed to be discussed, decided and documented outside of the DPOM [p.5].

The DPOM needs to clearly state that (in keeping with Section 30G) opportunities for recreation and tourism generally must be compatible with the conservation of the park's natural and cultural values. The DPOM states that "The park will continue to provide for a range of sustainable recreation while also supporting new tourism and recreational experiences". The plan needs to explicitly make clear that these 'new experiences' must also comply with s.30G. The management principles for the SCA include "...provision for sustainable visitor or tourist use and enjoyment that is compatible with the conservation of the state conservation area's natural and cultural values..." [s. 30G(e)].

²⁰ Wray and Washington

Selective consultation has no transparency to the public

The DPOM also states that “The specific type and location of new infrastructure and the location of areas to be designated for vehicle access, cycling and horse-riding will be determined during the development of a detailed masterplan and in consultation with Wiradjuri representatives and relevant recreational user groups.” [p.5]

This suggests that decisions about additional park access would be a secret process potentially between the proposer of additional access (being a user group for that activity) and NPWS (plus Wiradjuri representatives). This increased lack of transparency in government decision-making could be detrimental to the natural values of the SCA. This is particularly so given NPWS does not always make public its Reviews of Environmental Factors (REF) for on-park matters.

In contrast, the Mt Canobolas SCA POM (2019), states that the proposed development of any significant new mountain bike riding opportunities and associated facilities in the park would require the preparation of a “review of environmental factors’ in accordance with the Office of Environment and Heritage Guidelines for Preparing a Review of Environmental Factors and include public and stakeholder consultation.” It appears the commitment to public consultation is being watered down in the space of two years. The DPOM also expresses the environmental assessment requirements in less detail than the Mt Canobolas PoM.

As well, there are circumstances where other user groups besides the recreational user who is proposing and benefitting from additional access should be consulted as “relevant” to these discussions. For instance, where multi or shared uses are being proposed such as walkers and mountains bikers, or walkers and horse-riders both groups should be consulted. (Walkers are not recognised in the Authorised Activities). However, this is not an ideal solution and public consultation is better rather than secret negotiations.

Commercial leases and possible restricted public access

Very concerning, the DPOM also states that public access “may be restricted” in general and “restrictions on public access to lease areas and areas associated with mining operations may also apply” [pp.10-11].²¹ The Society would oppose granting lease holders exclusive access to areas which are public land and therefore should be accessible to the public.

Also concerning is the proposed “serviced, low-impact accommodation which could be operated by and leased to a private sector partner: associated with the proposed multi-day walk [p.5]. This and the adventure activity hub have gone out to the market in an EOI process which will not be transparent to the public. What is accepted through this tender process could be arrangements which are different from what has been referred in the DPOM or in the Masterplan. This may not become apparent to the public until the Plan was finalised and the tender process outcomes announced.

²¹

The Society supports off-park accommodation in neighbouring towns as has been the case for many years in the Blue Mountains. This has benefitted the local community and small businesses. On-park accommodation would be a departure from this well established model and could redirect revenue away from local businesses to a private operator. The Society would also not support walking trails associated with accommodation being available only to private operators' customers rather than general public. This could also create a precedent of new accommodation hubs in other Blue Mountains reserves.

There is growing concern generally about commercial accommodation in national parks, including impacts on national parks' fundamental role to protect threatened species and undeveloped landscapes and the use of public funding to effectively subsidise commercial operations. Commercial developments in national parks, particularly ones targeting high fee-paying clients are increasing in Australia (particularly Tasmania) and overseas. See for instance "Taming the wild: is the rise of eco accommodation a threat to Australia's national parks?"²² A recent survey by National Parks Council of Australia found that many people reacted strongly against inappropriate development in national parks and some said that large scale developments could even deter them from visiting. Funding for park management was also of high national concern and the majority of survey respondents supported increased government funding for national park management and staff and rangers.²³

It is hard to know precisely where what we know of the proposals for SCA fall in this range. The public need to be better informed about the intent and options of proposals for SCA being developed through the EOI process.

Future of the SCA beyond the short-term establishment period

The DPOM is limited to "strategies needed to establish the park" which "will be implemented in short to medium term". However, there is no commitment to amend The DPOM for future strategies and actions which will surely be needed.

Land is reserved as a state conservation area primarily where mineral values do not allow for reservation as another category as is the case with the SCA. The *NPW Act* requires a review of the classification of state conservation areas every five years in consultation with the Minister administering the *Mining Act 1992*. However, the DPOM does not provide any long-term vision as to what will happen when mining eventually ceases. This should be stated in the DPOM. Is it to make all or part of the area a National Park or an addition to the GBMWSHA when mining ceases given the significant natural and cultural values of the area?²⁴ Perhaps this cannot be assessed until rehabilitation and development plans are progressed. However, if there is a long-term view then the SCA can be managed with that in mind from the

²² Eden Gillespie, **Guardian Australia**, 18 June 2022 and Freya Higgins-Desboiles "From Kangaroo Island to the Great Barrier Reef, the paradox that is luxury ecotourism" **The Conversation** 12 March 2019.

²³ "National Parks Council of Australia poll on how the community feels about national parks and nature protection" **Nature** (NPA NSW) Winter, 2022.

²⁴ As recommended by the GBMWSHA Advisory Committee in 2015. Discussed above

beginning if it is a more protective category. For instance, the Mt Canobolas PoM says under Management Principles "that since ...it is anticipated that it may eventually become a national park, so the management of the state conservation area will be guided by the management principles for national parks as far as possible".²⁵

The DPOM should state the long-term intent for the SCA. This issue is also relevant to meeting s.72AA (1) (s) discussed above.

Recognising Aboriginal culture

The Society supports recognition of Aboriginal cultural heritage and the cultural landscape of the SCA and adjacent Maiyangi Marragu Aboriginal Place along with the aspirations of the traditional owners. *Destination Pagoda* recommended consultation with the Aboriginal Community in the preparation of plans for SCA.

Blackfellows Hands Cave trail should be shown as Maiyangi Marragu Trail. The Geographic Names Board changed the trail's name several years ago. The Society made a submission in support of this change. Both names are still being used on signs in the SCA.

Rehabilitation

Given past disturbance in the SCA, including 2019-20 fires, the POM should state more detailed intentions re rehabilitation plans for the area, not just mention it in the Park Planning Framework circular diagram [p.4]. Rehabilitation should be an immediate priority and precede plans for visitor facilities. Rehabilitation is needed for former plantation areas to encourage the return of native vegetation. It is also needed for the considerable damage done by unmanaged recreational uses such as gouged trails.

Destination Pagoda said regarding rehabilitation that disturbed areas could be legitimately used for siting carparks and other facilities, converting past trail bike tracks to walking tracks, mountain bike tracks or multiple use tracks. "However, rehabilitation process is an opportunity for learning and skills development. It can provide local employment and research opportunities for educational institutions".²⁶

There is also no mention of the funding for the rehabilitation of nationally listed swamps damaged by underground mining and how the funding that the mining company has had to provide to be able to mine under the SCA will be spent to achieve rehabilitation (as discussed above). NPWS should consider this proposal.

²⁵ Mt Canobolas PoM, p,3

²⁶ *Destination Pagoda A Visitor Management Plan*. Produced for the Gardens of Stone Alliance. At p.31

Reduced access for 2WD

The DPOM commits to only limited 2WD roads, that is upgrading State Mine Gully Road, Glow Worm Tunnel Road and old Bells Line of Road to provide “key visitor sites and camping areas”.^[p.5] However, the strategy of “4WD touring routes” could make many lookouts, water falls and features inaccessible to family tourism using 2WD cars.

Entry to the park – Building the connection with Lithgow

Access to the SCA through Lithgow was one key strategy of *Destination Pagoda* to help diversify the local Lithgow economy. It proposed bringing visitors through Lithgow through a well-managed road touring system allowing 2WD access and creating return and circuit drives. Key attractions would be mostly short 2WD diversions to visit Lost City, Carne Creek, Birds Rock and Maiyangi Marragu/ Long Swamp.²⁷ The aim was to maximise the impact the SCA could have on Lithgow and local environment. It is unfortunate that 2WD access is proposed and being built from Clarence. This may have been allowed to service the shocking sand mining operations on the road. Any easy access via Clarence would encourage visitors to arrive and depart SCA via Clarence and their business would be lost from the town. This used to happen with visits to the nearby Zig Zag railway,

However, the road in from Clarence is currently dangerous to drive on because it is a haulage road for large double B trucks from the sand mining operations. The road is too narrow in places for cars to pass sand mining trucks. Sand mining on both sides of the road is clearly visible from the road as the quarry has been allowed to remove all vegetation right to the road. Perhaps this horrible situation at the entrance to the SCA will itself encourage people to drive on to Lithgow on future visits. NPWS needs to address this issue urgently so that visitors are actively encouraged to travel to the SCA via Lithgow town.

Carbon offsets

It is disappointing to see carbon offsets mentioned as permissible in the DPOM. Planting for Carbon offsets is not rehabilitation or restoration of environment as it meets a different need. There must be additionality beyond the usual land management activities of NPWS, yet it is unclear how this will be achieved. It should not be monoculture or plantation planting as has occurred in other national parks for instance Capertee. It should be ruled out for the SCA which is unusually well supported with establishment funds if spent wisely.

Poor maps of new SCA make boundaries difficult to define

There should be a digital map of the SCA boundaries over topographical and cadastral layers (which have been produced for many years in hard copy and digital versions by NSW government agencies) and freely available to the public. The DPOM should contain a clear version of this map.

²⁷ *Destination Pagoda* p.27

Commitment to systematic and targeted surveys

Surveys are crucial for improving our understanding of the ecological communities and species that occur in the park and their ecological needs. This is particularly important for increasing our understanding of how populations adapt and respond after significant environmental change (e.g. the severe wildfire that occurred in 2019-20, forestry operations etc), and to inform adaptive management of the park and its natural values.

In summary

For the reasons set out above, the Society believes that the DPOM should be re written and re exhibited.

Yours sincerely



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