



Application for an Interim Heritage Order

The Wolli Creek Preservation Society (WCPS) is seeking an Interim Heritage Order to prevent the construction of an industrial plant on a site where it would:

1. negatively impact on an aqueduct that is heritage-listed at State and Commonwealth levels
2. disfigure and obscure Wolli Bluff, a significant local natural landmark
3. prevent the completion of the Wolli Creek Regional Park (WCRP), which the community has fought for over more than 30 years.

The construction proposed by Sydney Water is an Odour Control Unit (OCU) and is planned to control both odour and gases that cause corrosion in sewer pipes. The need for the OCU is accepted, but the location is a bad choice. The land involved is currently owned by Sydney Water but has long been designated for inclusion in the WCRP, of which it forms the eastern gateway.

The heritage listing is for the aqueduct carrying the South-West Ocean Outfall Sewer across Wolli Creek.

The application provides brief background on:

- Wolli Creek Regional Park
- Wolli Creek Preservation Society
- Wolli Bluff
- The South-West Ocean Outfall Sewer aqueduct
- The Odour Control Unit

It then raises the issues identified for both constructed, and natural and cultural heritage of the proposed location for the OCU.

There is an alternative location, identified by Wolli Creek Preservation Society, which is viable from an engineering perspective. Sydney Water has rejected this alternative on grounds that are underspecified, unsatisfactory and can be overcome. None of the alternative's difficulties are of a heritage nature.

A summarised timeline is provided setting out efforts to acquire the Sydney Water land for the Regional Park and, more recently, to persuade Sydney Water to change its planned OCU location. One Sydney Water diagram, annotated by WCPS based on a Sydney Water presentation to Society representatives, is attached, and other items of evidence are provided via links in the application document.

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BACKGROUND

Wolli Creek Regional Park (WCRP)

The lands designated for the Regional Park run for over four kilometres from Bexley North station in the west, along under the cliffs of the Earlwood ridge to end at Undercliffe, above Waterworth Park and close to Tempe station. These lands include the proposed site of the industrial plant.

Its 50 hectares contain the largest area of remnant bushland in a wide swathe across Sydney between the Parramatta and Georges Rivers. It is redolent of aboriginal usage (see eg page 35 in http://cooksriver.org.au/wp-content/uploads/2017/06/Cooks_River_Aboriginal_history_WEB.pdf). and has many archaeological remains of early immigrant activity (see http://www.wollicreek.org.au/wp-content/wolliupload/Wolli_Creek_Arch_Report_smallest.pdf).

Its natural values include stunning cliffs, and a very diverse range of ecosystems:

- freshwater wetlands
- saltmarsh
- mangroves
- reedlands
- a small rainforest remnant
- shale-influenced open forest dominated by Angophora and Turpentine in the west, which transitions into
- typical Sydney sandstone vegetation in the east

The Wolli Trail runs the length of the Park and forms part of the Two Valley Trail (*ref link*) a 13.5 km pathway down the Wolli Valley and up the Cooks River Valley. It is used extensively by walkers from the local area and walking groups from as far afield as Wollongong, the Blue Mountains, and the Central Coast as well as all over the Sydney Basin. Usage of the Park has increased in recent months to 250% of its former level, underlining its importance to locals and others seeking an experience of nature close in to Sydney.

After a decades-long process of slow accumulation of the 100-plus blocks originally making up the area, the WCRP is now nearing completion. About 74% is now or will shortly be held by the National Parks and Wildlife Service and a further 24% can be confidently be expected to be acquired over the next few years. Little more than 2% is unresolved and the Sydney Water land makes up about half of this (the remainder is in private hands, but undeveloped and subject to compulsory acquisition).

The site proposed for the industrial plant is at the eastern gateway to the Park on one of the few remaining blocks still to be acquired for the Park. It is currently owned by Sydney Water, a state-owned corporation.

Wolli Creek Preservation Society (WCPS)

Formed in 1984 to protect the Wolli Valley bushland, and incorporated in 1987, the Society has led the campaign to have this bushland formed into a Regional Park under National Parks and Wildlife Service administration. Transfer of the designated lands into NPWS hands is now nearing completion.

The Society is an independent voluntary organisation, but works closely with local NPWS staff to monitor and manage the bushland on a day-to-day basis. It has organised numerous activities in the Park, including:

- Interpretive walks on particular themes such as history, wildflowers, bushland restoration, Flying-fox population.
- Kayak trips up Wolli Creek to explore the bush from the water.
- A strong program of bushcare with five groups working once a month on different sites (including the industrial plant site) and receiving grants totalling (*need estimate*) over eighteen years to support the work with professional contracts, managed by the Society.
- Over 40 community planting days, and numerous site visits to explain bushcare activities.
- Hosted many corporate volunteer days to assist with unskilled bushcare tasks.
- Nine teams of WCPS members undertake monthly surveys of bird species and numbers, covering almost the whole of the Park. Results are reported to the Atlas of Living Australia.
- Regular monthly counts since 2008 of the Flying-fox population in the Wolli Creek camp near Turrella; much of their roosting is within the Regional Park. Results are reported to the National Flying-fox Monitoring Program and researchers.
- Since 2014, an annual BatWatch Picnic, timed to watch the Flying-fox fly-out, with an information desk and many kids' activities, with attendance rising to 500 in March 2019. (See <https://www.youtube.com/watch?v=FipoHteOzME>)
- Public talks on a variety of topics of relevance to those living in or interested in the Wolli Valley.
- Guided walks and produced free educational materials for local primary schools, many of which have used the WCRP for expeditions and as an outdoor classroom. See <http://www.wollicreek.org.au/activities/school> for resources produced.
- A program for several years of water quality monitoring at various points along the creek.
- Many Clean-Up Australia events to remove accumulated rubbish from areas of dumping or flood-borne detritus.
- Several yearly outdoor art events in support of the WCPS campaigns to prevent the valley being used for motorways (see eg <https://www.youtube.com/watch?v=r0Qv0MCKJIE>).
- Formation of the Wolli Track as a component of the Two Valley Trail, launched by MP Linda Burney and Mayor Robert Furolo in 2007.
- Organisation of the 2008 Two Valley Trail Photographic Exhibition. Opened by then Governor Marie Bashir.

In addition, the Society makes submissions and lobbies Councils, MPs and Ministers to prevent developments that would detract from the natural and built heritage values of the valley and to press for actions that would enhance those values. Much valuable infrastructure has been installed to control water flow and trap rubbish as a result of these efforts.

It has also published several books and leaflets dealing with the history, geology and birdlife of the Wolli Valley ([publications listed here](#)) as well as maps of the Two Valley Trail in several languages ([see TVT webpage](#)).

Wolli Bluff

Much of the suburb of Earlwood is built on top of a large sandstone ridge from which the shale topping has been eroded. Two major side ridges have resulted in splendid outcrops supporting classic Sydney sandstone vegetation. They are Nannygoat Hill near Turrella station and Wolli Bluff at the eastern end of the WCRP area. Both afford wide-ranging views across the nearby suburbs and to Botany Bay, and the towers of Chatswood and Artarmon can be seen from the top of Wolli Bluff.

Wolli Bluff is a vital component of the Regional Park and a prominent presence for travellers heading up to the Earlwood ridge along Bayview Avenue. It is an obvious lookout and would have been used as such by aborigines. There is some evidence of artefacts having been found there.

It forms a striking frame to the eastern entrance to the Regional Park and the Wolli Track, and serves, with the adjacent South-West Ocean Outfall Sewer aqueduct, to combine both natural and built heritage values. Its handsome rock face forms a tall natural barrier on one side of the Two Valley Trail.

The bushland of Wolli Bluff and surrounds serves as a reminder of the character of the land in which the SWOOS work was undertaken, an important context for the interpretation of the aqueduct and the associated tunnelling under the Bluff.

The Bluff is spread over two cadastral lots and part of it lies within a lot currently owned by Sydney Water, but long designated for inclusion in the Regional Park. It is on this latter lot that Sydney Water proposes to build its industrial plant.

South-West Ocean Outfall Sewer

This was built in the 1890s and crosses Wolli Creek on an aqueduct before tunnelling under Wolli Bluff. It is described in Sydney Water's 2005 Conservation Management Plan (CMP – accessible at <http://heritagensw.intersearch.com.au/heritagenswjspui/handle/1/5945>): "The Wolli Creek Sewage Aqueduct is an important historic site because it is a key and visible section of the Main Western Sewer. It was a major engineering feat at the time of construction, consisting of a simple robust and well proportioned bridge spans of wrought iron and decorative brick arches. It is considered a local landmark due to its size, location and aesthetic appeal. The aqueduct is considered rare in considering its scale, siting and mix of materials. It is a functional Sydney Water asset."

The aqueduct carries three large pipes, two of which are from the 1890s: "Only two pipes were laid initially. The iron pipes were manufactured on site from curved metal plates using a field riveter....The construction process is noted as being of interest on the Register of the National Estate (www.ahc.gov.au/register)." (CMP p16) The aqueduct is listed on the heritage registers of the National Trust, and the State and Commonwealth Governments. (CMP p3)

Wolli Creek Preservation Society is proud of the heritage Wolli Creek Sewerage Aqueduct and brickwork in the Wolli Creek Valley as physical evidence of the ingenuity of past engineers (predecessors of the modern Sydney Water) and as a visible example of the importance of the sewerage system. It is inadequately protected and needs interpretive signage to better inform the visiting public.

The Odour Control Unit

The industrial plant is an Odour Control Unit (OCU) and it is to control odour from the heritage sewerage pipes, but it also has an important role in reducing corrosion in its historic pipes. The attached engineers diagram shows what is intended at basic design stage. The slab is to be 10m x 12m, with two tanks 3.5-4m high and an exhaust vent 14m high. Sydney Water proposes to carry the Two Valley Trail on a cantilevered walkway immediately adjacent to the OCU. The Stack is hard against the rockface of Wollli Bluff, which would be significantly cut into.

The proposed OCU is accepted as a necessary piece of State infrastructure, but it does not have to be in the location proposed by Sydney Water. There is an alternative site, also immediately adjacent to the SWOOS and with significant advantages, which avoids the negative heritage consequences of the proposed site. For annotated maps and diagrams illustrating the case for this alternative see https://www.flickr.com/photos/wollli_events/albums/72157710668775052. See in particular item 5 for the two locations involved.

A further advantage of the alternative site is that it would not need separate protection as the fencing needed to properly protect the SWOOS itself could be readily extended across the alternative area. No such arrangement is possible if access for the Wollli Track is to be maintained past Sydney Water's proposed site.

HERITAGE ISSUES

Siting the OCU as proposed has negative effects for both constructed and natural heritage, which will be irreversible:

- The OCU would dominate the context of the heritage sewer crossing, at one of the few locations from which it can be readily viewed, while in no way being a potential heritage item itself, meeting none of the criteria for heritage listing.
- Wollli Bluff would be cut into, and restored bushland removed, seriously affecting the natural heritage of this location.
- The location of the OCU and the retention by Sydney Water of the block on which it would stand would prevent the completion of the Wollli Creek Regional Park and also remove the interconnectivity between Wollli Bluff and the rest of the Park.

Constructed Heritage Issues

Siting the OCU in this location also appears to breach the NSW Heritage Assessment Criteria for the South Western Ocean Outfall Sewage (SWOOS) at Wollli Creek for Heritage classification. In its proposed location, the OCU:

- would be partly within the curtilage area of the aqueduct (as shown in Sydney Water's own [Review of Environmental Factors](#) for the OCU, p11), in breach of the boundary for heritage classification for the SWOOS aqueduct.
- would put a new industrial plant in the same visual catchment as the heritage aqueduct and pipes. For the visiting public, the aesthetics of the heritage value would be severely diminished. They might pause to look and take in the heritage structures, but the dominant presence of the modern OCU would jar with the heritage SWOOS. They would then have to step along a raised walkway around and adjacent to the OCU's tanks and pipes, again focussing attention on it rather than the SWOOS.
- would be at odds with Sydney Water's own Conservation Management Plan (CMP, 2005 located at: <http://heritagensw.intersearch.com.au/heritagenswjspu/handle/1/5945>): "The Wollli Creek

aqueduct is regarded as a landmark in the local district. The preservation of the item as a functioning sewer will also preserve the item's value to the local community. The landmark qualities of the aqueduct will be maintained by preserving the views to the aqueduct." (CMP 6.9) "Should any new features or services be installed they should be confined to areas of lesser prominence and not impact upon the item when viewed from a distance." (CMP 7.8)

Natural and Cultural Heritage Issues

In its proposed location the OCU:

- does not take the surrounding environment adequately into account, not just the curtilage, but the broader environment of the Wollli Creek Regional Park (WCRP), by which it would be neighboured on two sides. Sydney Water's own Conservation Plan of Management states: "The Wollli Creek Regional Park adjoins the site and there are some vegetation species of significance. Management of the site should be in keeping the aims of preserving natural vegetation in the adjacent areas." (CMP 6.8) "In carrying out work on the aqueduct the impact on the adjoining reserve will be considered and minimised." (CPM 7.10)
- does not properly address the cultural, social and community value of the striking rock face (into which Sydney Water would have to cut), which also forms a significant reminder of the tunnelling that had to be undertaken for the SWOOS in the 1890s.
- ignores the regionally significant cultural value of the Wollli Creek Regional Park and the range of activities taken within it, by preventing the completion of the Park and its interconnectivity.
- prevents the restoration of the bushland on the remainder of the block to complement the vegetation of the Regional Park. Sydney Water has not been a good custodian of the natural values on this block: "Management of the site should include the removal of weeds, as well as keeping vegetation from growing in places that could cause damage to the asset." (CMP 6.8) "There is no heritage landscaping in the vicinity of the aqueduct. The area consists of native indigenous vegetation and weeds." (CMP 7.8) The only bush restoration on the block has been undertaken by WCPS volunteers, under licence from Sydney Water, but with no financial support.
- presages pressure on NPWS, as the manager of the Regional Park, to remove still more vegetation from Wollli Bluff to meet the CMP's statement that management of the site "would include the prevention of overhanging vegetation as well as the removal of vegetation that could result in structural damage." (CMP 6.8) There are many sizeable trees and shrubs on Wollli Bluff above the proposed OCU site.

Timeline

- Since at least 2009, NPWS has included the OCU block within the lands designated for the Wollli Creek Regional Park.
- **6/2017** WCPS wrote to Minister for Utilities Harwin (covering SW) seeking transfer of Sydney Water land in the Wollli Creek Valley to Wollli Creek Regional Park.
- **9/2017** Harwin replied advising SW assessing land not needed for operational purposes – aimed to have land transferred within 12 months.
- **7/2018** SW officer gives first indication (in phone call) that SW may seek to retain the block needed for the Park for operational purposes.
- **10/2018** First meeting with OCU project team; WCPS writes to Harwin noting consultation underway: WCPS's **first** alternative location (still on the OCU block) put on table.
- **11/2018** Harwin to local MP Sophie Cotsis: "properties feature a state heritage-listed wastewater aqueduct and cannot be transferred as it is required for operational purposes".

- **12/2018** WCPS writes to Harwin setting out its **second** alternative site, on the eastern side of the SWOOS and suggests land swap with Dept of Planning (no. 22 Unwin St) to achieve this.
- **1/2019** Harwin to Cotsis: **First** alternative site rejected on engineering grounds (accepted by WCPS)
- **1/2019** WCPS to SW OCU project team with maps and cadastral showing the land swap intended.
- **3/2019** Harwin to Cotsis: SW discussing land swap option with DoP
- **7/2019** SW email to WCPS: final decision on location not yet reached
- **8/2019** WCPS to (new) Minister for Water, Melinda Pavey, explicitly seeking political intervention.
- **9/2019** SW to WCPS member: OCU needed for corrosion prevention (first ever mention of this – previously just about odour) and final decision made, after “high-level, multi-criteria assessment”, to proceed with SW original proposal for location.
- **10/2019**
 - SW presented preliminary design to WCPS, WCPS rejected, put proposal for additional acquisition of adjacent residence (20 Unwin St) to overcome perceived problems with **second** alternative site.
 - SW provided copy of presentation, promised to share internal Review of Environmental Factors (REF) with WCPS (not sent but acquired through other channels). The [REF](#) makes no cost comparisons for using no.22 versus its preferred location; omits all mention of acquiring no.20; does not adequately address how WCPS input was dealt with in the decision-making process.
 - The REF process makes Sydney Water the proponent **and** the determining authority – no provision for comment/objection. WCPS has nonetheless prepared brief comments on it (see [WCPS comments on REF](#))
 - WCPS e-wrote to Pavey urging overruling of SW engineers and noting inadequate consideration given to acquisition of no. 20.
- **8/2020** SW to WCPS: timetable now to be: detailed design mid 2021, construction late 2021
- **11/2020**
 - SW advises that test drilling at their preferred location is to take place **the next day**; construction now set for “mid to late 2021”.
 - WCPS replies, again expressing opposition to location and asking for a reasoned explanation for the rejection of the proposal to acquire no. 20.
 - SW response indicates that they assumed no.20 was an **alternative** to no. 22, rather than an addition, but gives reasons for rejection summarised in briefing note prepared by Wollie Creek Preservation Society (See http://www.wollicreek.org.au/wolli_valley/other-issues).
 - WCPS replies providing, in short form, the rebuttals set out in the briefing note.