

The NSW Government has released a revised Environmental Impact Statement (EIS) for raising the Warragamba Dam wall by at least 14 metres and I make a formal submission to this proposal. The additional height would be used to catch flood waters, mitigating the impact of **some** floods on Western Sydney. The dam was never built for mitigating floods but rather as water storage serving 80% of Sydney's water requirements.

Premier Perrottet has declared the raising of the dam wall with this revised EIS this time as '**Critical State Significant Infrastructure**' as a means to limit legal intervention and further planning processes, stopping any community scrutiny of the proposal through the courts.

Despite the premier's statement that he is protecting people on the floodplains, there are still inadequacies in the revised EIS which must be considered to provide a fair and honest assessment of this project. NSW Planning Minister Anthony Roberts released the Preferred Infrastructure Report (PIR) into the raising of the Warragamba Dam. Rather than addressing the deep flaws the EIS contained, this report instead **clears the way for the NSW Planning Minister to approve the project next year**.

I am fiercely opposed to this proposal.

Raising the dam wall will flood pristine wild rivers and important bushwalking areas west of Sydney that are irreplaceable and once lost can never be restored. I am extremely concerned about this proposal.

I live in Sydney and appreciate this beautiful unique area -no wonder it has a listing of a world heritage site and it is on our doorstep! But raising the dam wall will cause damage to the area. I strongly urge you to stop and reconsider whether this project is needed at all. For decades this has been an ongoing discussion and the hesitancy in deciding is well understood, as the damage to this area could be irreversible. Many people claim that the environment can recover- but this only occurs with concentrated effort by the community and the government and is not always successful and the area seldom returns to its original condition.

With the overdevelopment of urban sprawl in western Sydney preserving these remaining natural environments should be important to everyone. This area is an internationally famous tourist area that offers overseas visitors and Australians something natural, uniquely Australian, and awe-inspiring close to Sydney.

I value the beauty of our country and especially our state of NSW and this area of the Greater Blue Mountains is an irreplaceable 'natural gem.' **Raising the dam walls to flood protected areas within the Blue Mountains to allow developers more land for urban sprawl is wrong.**

Huge areas of World Heritage-listed National Park and culturally significant land in the Blue Mountains and thousands of hectares of Critically Endangered Regent Honeyeater breeding habitat would be at risk of extended flooding and potential destruction. Flood experts, the International World Heritage Committee, and even NSW Government members continue to raise significant questions about the need for this project.

1. Environmental issues:

- An Environmental Impact Statement (EIS) confirms that this proposal would have a significant impact on numerous threatened species, identifying up to 76 threatened plant species and 16 threatened species of birds and other animals that could be impacted.
- Upstream inundation would also destroy the mighty Kowmung River, 6,000 hectares of the World Heritage-listed Blue Mountains National Park, and further endanger already threatened species (Regent honeyeater and the Camden white gum).
- It is an area of outstanding biodiversity. The grassy woodlands of Burratorang would be threatened by this proposal to raise the dam wall and flood more of the valley. The proposed wall raising for flood mitigation will flood a further **5,700 hectares** of the Warragamba catchment and **inundate 65 kilometres** of wild rivers. This falls within the Blue Mountains and Nattai National Parks, which are part of the World Heritage Area, and parts of the Yerranderie and Burratorang State Conservation Areas would be affected. This is World Heritage listed National Park and 1,800 hectares of declared Wilderness Areas will be forever scarred from sedimentation, erosion, and invasion of exotic plants.
- Platypus and rakali inhabit the streams and rivers of the Wollondilly, Nattai and Kowmung areas of the Greater Blue Mountains. A landmark assessment by scientists at UNSW Sydney has recommended the platypus be listed

as a threatened species under Australia's and NSW environmental legislation. In NSW, the number of **platypus observations declined by around 32 per cent**, so their survival is already compromised.

- The Blue Mountains area is the home of many species ranging from ground and tree frogs, bush birds, swallows, swifts, kingfishers, parrots, waterway birds, birds of prey, nocturnal birds, the Spotted-tailed Quoll, Koala, Yellow-bellied Glider, Long-nosed Potoroo, Green and Golden Bell frog, the Blue Mountains Water Skink geckoes, turtles, bandicoots, kangaroos, brush-tailed wallaby, possums, gliders, monotremes, wedge tailed eagle, wombats, emu and many species of fish. This proposal will affect their survival by changing their habitats. These species depend on the Greater Blue Mountains habitats remaining intact, due to the impact from greater Sydney residential development where they have already lost much of their habitats. More than 400 animal species will be negatively impacted by this proposal where most have a threatened status of endangered or even critically endangered.

This proposal would disturb this natural balance and these inter-connected ecosystems, where if one species becomes extinct and it was a food source for another species, this then affects their ability to survive.

- Much of the area to be flooded supports grassy woodland and dry open forest ecosystems *identified as priority conservation habitats by the NSW National Parks and Wildlife Service*. There is concern for the loss of threatened woodland ecosystems, threatened flora species, wild rivers, declared wilderness, and World Heritage Areas. Wet and dry sclerophyll forest, Mallee heathlands, localised swamps, wetlands, and grasslands all need to be protected. The flora **biodiversity** is extensive with 10% of the vascular flora, large numbers of rare or threatened species (The Wollemi pine) and 96 species of eucalypts that must be protected habitat for our wildlife to survive. The water catchment area of Warragamba Dam is **one** of the most *intact* grassy box woodlands in south-east Australia, having revealed these rare and threatened woodland birds that breed here.
- Of serious concern is the Critically Endangered Regent Honeyeater. **The EIS concludes that the project poses potential significant impacts to contemporary breeding habitat for the Regent Honeyeater that “cannot be avoided or minimised.”** The Regent Honeyeater is listed as Critically Endangered at both a state and federal level, with as few as 350 individuals remaining in total in the wild. It is the most threatened bird in NSW. There are only a handful of contemporary breeding sites for Regent Honeyeater and during the assessment of the project, active nests were recorded within the impact area. The destruction or degradation of a contemporary breeding site for Regent Honeyeaters would have dire consequences for the species.

Flooding the Burragorang Valley will be tantamount to signing off on the **bird's extinction**. *It would be an embarrassment as well as sadness that we destroy one of the most important breeding and conservation sites left for this species in the world. We must protect every breeding site, especially those situated inside and around a World Heritage-listed National Park.* This species also has a recovery plan. The dam wall raising will be in direct **contradiction to the stated objectives of the National Recovery Plan**. This flooding of the Blue Mountains would have significant *impact on 16 threatened species of birds alone*. Crucially, the area in question is one of the **few sites** where Critically Endangered Regent Honeyeaters are known to have bred successfully in recent years, and hundreds of hectares of this critical breeding habitat would be flooded.

Regent Honeyeaters and many other animals are deserving of our attention. Under the Biodiversity Conservation Act 2016- the purpose of the Act was to *effect biodiversity reform in NSW*, and to *provide better environmental outcomes*. This proposal **will not** provide better outcomes for this already struggling species of bird and let alone the many other animal species that call this area home.

2. Cultural/historical issues:

- If the dam wall is raised, sites of immense cultural and historical significance in the beautiful Burragorang Valley — irreplaceable Indigenous cave art galleries and occupation and burial sites — will be drowned under metres of muddy water.
- **Indigenous heritage studies have been insufficient and fail to recognise the need to protect Gundungurra sacred sites.**
- All owners of this area must be acknowledged and respected in any decision making- the Dharug, Gundungurra, Wanaruah, Wiradjuri, Darkinjung and Tharawal Nations who are the traditional owners of the Greater Blue

Mountains World Heritage Area. Sadly the revised Environmental Impact Statement (EIS) for raising the Warragamba Dam has completely disregarded the concerns of Traditional Owners, by not including important information about sacred sites that would be flooded.

- Gundungurra Traditional Owners have NOT given free, prior, and informed consent for the dam proposal to proceed. If we are to restore Indigenous rights to 'Country' and mend relationships with First Nations People, we must respect them and their land in any formal process and give them a say.
- Over **1541 identified cultural/ Aboriginal heritage sites** would be inundated by the Dam proposal.

3. Destruction of a World Heritage site

The report has attempted to downplay the destruction of World Heritage and National Parks. Environmental damage to a world listed heritage site is given minimal concern. The reality is an estimated **65 kilometres of wilderness** rivers, and **5,700 hectares of National Parks**, 1,300 hectares of which is within the Greater Blue Mountains World Heritage Area, would be inundated by the Dam project. This includes: the Kowmung River - declared a 'Wild River', unique eucalyptus species, Threatened Ecological Communities, habitat for endangered and critically endangered animals, and Sydney's last Emu population would be adversely impacted by flooding of their habitat.

This is the ***largest destruction of conservation lands ever proposed***, let alone approved in NSW. The NSW government openly announced it would **ignore** the advice of the UNESCO World Heritage Committee in order to proceed with the project.

The Preferred Infrastructure Report (PIR) even opens the ***possibility for changing the World Heritage (The Blue Mountains National Park) area boundaries, in an attempt to avoid Australia's international obligations*** as the NSW government seeks to raise the height of the Warragamba Dam wall. Changing the boundaries of the heritage site is to make it fit the government's intention and purpose. ***They are openly ignoring the advice of the UNESCO World Heritage Committee.*** Changing the boundaries is wrong to an international heritage listed site, the irreplaceable Blue Mountains.

The International Union for the Conservation of Nature (IUCN) concluded that raising the dam appeared to be inappropriate and inconsistent to the requirements of the World Heritage Convention. If the plan goes ahead, it could ***breach international law*** and risk losing the Blue Mountains' world heritage status. This technical review is saying very clearly that raising Warragamba Dam wall is totally inconsistent with Australia's obligations under international law and the World Heritage Convention. Experts say if the project is approved the ultimate outcome of that could be a listing of the Blue Mountains on the list of ***World Heritage in Danger*** or, eventually, a potential delisting of the site. *The IUCN's advice could pave the way for embarrassing consequences for Australia if it is stripped of its World Heritage status.*

4. Valid concerns made by different agencies and organisations:

The revised Environmental Impact Statement (EIS) downplays, minimises, and denies the environmental and cultural damage this project will cause. It has not fully considered the environmental protections necessary to protect species and valuable ecosystems. The impact assessment has had numerous critical reviews.

- The National Parks and Wildlife Service has said that the EIS had failed to address impacts on species and ecological communities affected by the catastrophic bushfires, that ripped through this area.
- Heritage NSW said the EIS failed to properly consider cultural heritage values or adequately consult Traditional Owners.
- NSW Government had to redo the entire environmental and heritage assessment because it failed to consider impacts on iconic species like the platypus.
- Fluvial flooding experts and Federal Government officials have also raised several concerns about the proposal to raise the height of the dam wall.
- Local government criticism from Wollondilly Shire Council and the immediate community has condemned the inadequacies of the EIS for the Warragamba Dam Wall raising project, by the Department of Planning, Industry and Environment and Water NSW. There has been inadequate consultation with Wollondilly Council, and it

appears the government is rushing ahead without considering the negative impacts. Wollondilly Council is opposed to the proposal due to the major issues and concerns within the EIS. Councillor Matthew Gould said the EIS "shows bias towards the project" rather than being objective, highlighting the benefits downstream to floodplains and "downplaying" the negative impacts upstream for wildlife and their important ecosystems. Wollondilly communities also will be impacted by heavy vehicles, noise, and dust during construction phase to raise the wall. There is a need to also protect Warragamba businesses and the tourism economy of this region. Raising the dam wall will not achieve this goal. Wollondilly Mayor Matt Gould fears that raising the dam wall would not achieve the flood mitigation outcomes that are being touted. The cost is too high causing significant damage to the area's unique indigenous heritage and native species.

- A submission by NSW Department of Planning Industry and Environment echoed serious concerns and said: "Notably, the EIS makes incorrect assumptions about how to determine World Heritage values, and therefore how to evaluate impacts on those values."
- The Australian branch of UNESCO's official cultural advisers, the International Council on Monuments and Sites (ICOMOS), wrote that the EIS was "fundamentally deficient" and the "very nature of the project is at odds with obligations that arise from the World Heritage Convention."
- Former Planning Minister Rob Stokes refused to grant the project 'critical state significant infrastructure status', given the impact it would have on a World Heritage area. Stokes' concerns over declaring the proposal as 'critical state significant infrastructure' in September 2021 related to a ***section of the Environmental Planning and Assessment Act, which prevents government agencies from issuing orders against environmental damage. Stokes ruled against declaring the Warragamba proposal as 'critical state infrastructure' due to concerns the move would strip government environmental departments of important tools to safeguard the dam, which provides 80 per cent of Sydney's drinking water.***
- Environmental conservation groups like Nature Conservation Council, Blue Mountains Conservation Society, Total Environment Centre, and the Wilderness Society are among many that along with the wider community have expressed very serious concerns on this development proceeding. BirdLife Australia and Colong Foundation for Wilderness are voicing opposition to the raising of the dam wall.
- The Australian Department of Energy and Environment have said they believe ***"the impact of increased flood water levels within the dam is likely to have extensive and significant impacts on listed threatened species and communities and world and national heritage values of the Greater Blue Mountains World Heritage Area (GBMWH)."***
- Recently the NSW government's legal auditors released a 77-page review of the project's EIS. The auditors found that ***the EIS for raising the dam had been improperly prepared by both NSW Government agencies and SMEC Engineering, and that both organisations had not behaved transparently during the auditor's investigation.***
- NSW Government's own leaks on crucial information has revealed that raising the dam walls would be largely ***ineffective at mitigating severe floods*** anyway in the Hawkesbury Nepean Valley. The leaked graphs show the anticipated billion-dollar dam project only offers a ***very small reduction for the probable maximum flood.*** Billions of dollars of taxpayer money for minimal results to reduce flooding in low-lying residential areas, but massive destruction to a World listed heritage site and their ecological communities.
- The International World Heritage Committee have raised significant questions about the damage to this World Heritage listed area. ***The UNESCO committee have said the proposal to raise the dam wall is incompatible with Blue Mountains world heritage listing.*** UNESCO has stated that ***"such inundation of any areas within the [Blue Mountains] property is likely to impact on its outstanding universal value (OUV)."***
- There are serious concerns held by Sydney Water and Health NSW about the effects the dam project would have on Sydney's ***drinking water quality*** which have been dismissed in the revised EIS report. NSW Health Department raised concerns that Sydney's drinking water could be harmed if this project goes ahead saying any impacts on quality would be 'critical' for the delivery of 'safe' water. Sydney Water would be limited in their ability to avoid poor quality water in the dam especially during the construction phase.

There are few times in Australian history when Governments have undertaken such callous attacks on protected areas. The NSW government is badging this proposal as 'Critical State Significant Infrastructure' to speed up the process with minimal accountability and to secure no blocks in their way. The current NSW Planning Minister Anthony Roberts has advocated streamlining processes to get this project approved as quickly as possible. Sounds like the government under the premier and the planning minister have already made their decision, even before the public consultation submission process was even open to the public.

5. Systematic Failings of the EIS process:

- Threatened species surveys are not detailed but **substantially less than guideline requirements**. Where field surveys were not adequately completed, expert reports were not obtained. Therefore, the data is incomplete to make a full correct assessment of threatened species. Modelling by BirdLife Australia suggested that up to **50% of contemporary Regent Honeyeater foraging and breeding habitat was burnt in the 2019/20 bushfires**. Protecting remaining unburnt breeding habitat is of the *highest conservation priority*.
- Severe fires during the summer of 2019/20 devastated 81% of Blue Mountains Heritage Area. **No post-bushfire field surveys have been undertaken**. Recovery of this environment and our wildlife will take decades due to the severe damage of vital habitats and ecosystems. This is no time to further compromise this area with more destruction, with a development that already has dire warnings.
- The Project's biodiversity offset strategy for the Regent Honeyeater must be considered more closely. Offsets are rarely an appropriate response to proposed biodiversity loss and especially for critical habitat for the survival of a species, in this case their breeding habitat. Offsets to provide such a **unique** habitat to replace the loss of this habitat would be implausible, as this bird has become critically endangered because it has already lost its unique habitats and there are few habitats remaining for this species if any. Destroy this last remaining habitat and you herald the extinction of this species.

There is **no evidence** that breeding habitat for Regent Honeyeaters can be successfully offset, and any offsets would be unlikely to provide direct benefits for both the local affected population and the species, as offsets rarely are the same quality exchange.

- The NSW government in the revise EIS recognise so extensive are the projected impacts to endangered plants, animals, and ecosystems that the compensation bill for the state government- the amount to be paid as a biodiversity offsets could be alone \$2.88 billion in a draft assessment from 2019. So to solve this huge debt of offsets to make the financial cost more bearable the NSW government has already commented that the "government does not need to pay the bill because the inundation is 'temporary' and only occurs during big floods", despite ecologists saying the impacts would be **permanent**. Here the government is already deciding, what they feel is important enough to be compensated- which is nothing and seem to know more than the experts. The government are effectively trashing this world heritage site assuming no responsibility for the damage and no accountability for appropriate offsets because they know that they cannot offset damage of a 'like for like value of a world heritage international site.' It also removes them of the huge financial obligation to pay any offset.
- Independent experts working on the Government's Environmental Impact Statement (EIS) say that their findings were watered down. Ecologists say their input detailing the threat to endangered species in the world heritage-listed region was either watered down, changed, or ignored altogether with whole paragraphs removed. There have been claims of significant selective editing to push the government's agenda to have the dam wall raised. Is this then a reliable scientifically robust report? Interpretations of impacts of the wall raising were watered down from 'direct' to 'indirect' terms to reduce or eliminate the cost paid under the scheme. Other terminology used was changed from 'would likely' to 'may' affecting dozens of threatened plant and animal species through upstream inundation. These word changes are an attempt to minimise the degree of impact on the environment. With biodiversity offsetting costs that this government is stating are not necessary to pay and the raised wall itself costing around \$1.6 billion and with costs expected to rise even more, with only a 50% success rate in protecting homes from flooding, this money would be better spent in mitigation measures rather than raising the dam wall at all and destroying environmental and cultural/heritage values. This incredible amount of money should be spent on

alternatives that won't flood the Blue Mountains National Park but direct those funds to **protect existing floodplain communities from future flooding using a combined approach of multiple options.**

The community have a right to question the honesty and transparency of the EIS. With glaring omissions of information and word changes to minimise impacts, the public and the government should be concerned.

6. Community safety concerns:

- If the dam wall is raised, a false sense of security could result and encourage massive over- development on flood-prone areas in Penrith, Londonderry, Riverstone, and Windsor – further residential development sustaining flood damage, could cost the government more into the future. Previous and current ministers strongly support the raising of the dam wall because developers will be able to house an additional 134,000 people on western Sydney floodplains. This is very dangerous and could lead to even more people experiencing flood in the future on these low-lying areas and will exacerbate a problem even more.
- The negative impacts for the community will result in high-density housing, traffic congestion, or overcrowded schools and hospitals. The infrastructure cannot accommodate these population increases.
- The State Emergency Services (SES) have warned that new developments around Penrith and the Hawkesbury **should not go ahead** as it will risk the lives of thousands of people, even if the dam wall is raised. They are the professionals whose advice we should take not greedy property developers.
- Scientific investigations have also revealed that *raising Warragamba Dam wall would have little impact on floods*, with **major flooding still occurring** downstream, due to the creeks and rivers that flow into the Hawkesbury-Nepean River and hence the overflow onto floodplains anyway. The community would not be protected. Alternatives to raising the dam wall must be considered instead. Otherwise, this simply becomes a smokescreen excuse for the real intent of this proposal, being solely for a developer to capitalise on massive residential developments in a flood prone area.
- Raising the dam wall will put thousands more lives at risk on the Hawkesbury-Nepean floodplain and cause massive over-development in western Sydney that is not supported by the local community.

7. Alternatives to raising the dam wall

- Keeping residents on the floodplain safe is vitally important but permanent damage to endangered fauna and flora that can never be repaired must also be considered.
- On average, 45% of floodwaters are derived from areas outside of the upstream Warragamba Dam catchment. This means that no matter how high the dam wall is constructed, it will **not be able to prevent flooding in the Hawkesbury-Nepean Valley downstream**. Most houses in the Hawkesbury-Nepean Valley will not be protected by raising the Warragamba Dam wall, the main reason given to justify this proposal in the first place. *Almost half of the flooding in the valley comes from waters that are not controlled by Warragamba Dam.*
- The NSW Government should not allow further development on the Hawkesbury-Nepean floodplain and should implement international best-practice flood management, as put forward by the Australian National University, to ensure the safety of existing communities.
- **A combined approach of multiple options has been recommended as the most cost-effective means of flood risk mitigation and these initiatives are encouraged rather than destroying a world heritage site.**
- Alternatives could be:

-Establishing extra evacuation routes and roads for people living in the Penrith and Hawkesbury areas.

-Stop allowing further development in the floodplain, thereby worsening the situation.

-Construct spillways.

-Develop a program of *compulsory acquisition* of existing downstream flood affected properties over time to *create floodplain open space corridors to capture water. These areas should never have had houses on them.* Insurance Council of Australia boss Andrew Hall said the public money spent raising the wall would be better used buying back flood-prone land that never should have been developed in the first place- historically poor planning decisions were

made. Buy-backs could be offered to people willing to relocate who want to leave areas on identified flood plains in western Sydney. Those residents that would rather stay could be offered government funded support to modify their homes and raise homes to higher levels making them more resilient in flood times.

- Increasing the use of recycled water uptake.

- Releasing water from Warragamba Dam prior to heavy rains through BOM's advance warning notices to create more of an 'air gap'. By lowering the drinking water storage you create an additional **permanent** air gap and offset this through greater and more active use of the desalination plant.

- Manage flood evacuation roads including mitigation routes, levees, and critical communications infrastructure to bolster flood prevention and evacuation infrastructure. Redirect the billions of dollars that raising the dam wall would cost into this vital infrastructure to protect people now.

- Raise river-bank levees to protect affected properties.

These alternative options could assist people now to plan their lives. Building the dam wall will take another 8 years of anguish and wait not knowing if this project will be successful for your home.

In conclusion the Blue Mountains are over a million hectares of exceptional biodiversity, abundant wilderness, and stunning topography, recognised globally for their outstanding natural and cultural heritage values. The ecosystems of the Blue Mountains serve clean air and water to Greater Sydney while providing a healthy escape into nature for over 8 million visitors a year. This area acts as a carbon capturer to assist in decreasing the effects of climate change. Like most protected areas, the ecosystems of the Blue Mountains are threatened by the global issues of climate change, bushfires, habitat loss and species extinction. Responding to these threats is a government and community responsibility. For this reason alone, it is incumbent upon the NSW government to not proceed with this proposal of raising the dam wall.

I therefore **strongly oppose the proposal to raise Warragamba Dam wall due to the project's unacceptable potential impacts on the environment** including the Blue Mountains World Heritage Area, threatened species and the community who need proper flooding protection measures implemented. There is growing opposition to the dam wall raising from Aboriginal groups, the community, the insurance industry, varying organisations, and environmentalists.

On average, 45% of floodwaters are derived from areas outside of the upstream Warragamba Dam catchment. This means that no matter how high the dam wall is constructed, it will NOT be able to prevent flooding in the Hawkesbury-Nepean Valley downstream. Houses in these areas will still continue to flood.

This proposal will cause **irreversible damage** to this complicated ecosystem in the Blue Mountains and devastate threatened native species. Species that are endangered or critically endangered are in that position because their habitats have been taken away from other areas that have already been developed. For some like the Regent Honeyeater, Platypus, Brush-tailed Rock Wallaby, spotted tail Quoll, Koalas and Wedge-tailed Eagle this is their last untouched natural habitat because it has been protected for years. The variety of unique native fauna and flora, this World Heritage site, and the Indigenous heritage is deserving of our continued protection forever. The environmental damage is too high a cost for limited benefits to protect flooding for some people on these floodplains. There are alternatives to raising the dam wall that must be explored now to give people the opportunity to plan their lives now.

Yours sincerely

Ruby Hardie