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Warragamba Dam Assessment Team

Planning and Assessment

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Submission – Warragamba Dam Raising Project – SSI-8441

To whom it may concern,

Thank you for the opportunity to provide a submission into the Warragamba Dam Raising Project – SSI-8441 and taking the time to consider my submission.

This is a submission objecting to the Warragamba Dam Raising Project – SSI-8441.

I have been visiting the Blue Mountains since I was a child, enjoying the breathtaking views of the plateaus, sandstone cliffs and forested valley floors and introducing friends and relatives from Australia and overseas to its natural beauty.

I remember, after spending an easter of hiking climbing, out of the Kowmung river valley up Mt Cloudmaker then back to Kanagra Walls via the cutely named hills of Rip, Rack, Roar and Rumble. Beautiful country - well worth preserving.

In 2018, an estimated 8.43 million people visited the Blue Mountains National Park. Tourism provides valuable employment and economic benefit to the Blue Mountains area. Its high tourist numbers are recognition of this globally unique and highly valued natural area. However, it is not just a world class National Park, in 2000 it was added to UNESCO's World Heritage list in recognition of its "Outstanding Universal Value" for the whole of humanity as acknowledgment of the area's significant natural values. The area was listed as it supports outstanding biodiversity, with around 100 eucalypt species with approximately 152 families, 484 genera and 1,500 of plant species, and for vertebrate animals, this unique habitat supports some 52 mammal, 63 reptile, more than 30 frog and around 256 bird species.

The Greater Blue Mountains World Heritage Area is listed on the World Heritage Register partly due to the 48 threatened species and rare communities it supports. This includes its "exceptional

representation of major eucalypt groups... exceptional diversity of habitats... of the Australian fauna within a single place... and outstanding ecological integrity.” (Kennedy 2020)¹

The plan for raising of the Warragamba Dam is that during high rainfall events flood waters will be captured and will temporarily inundate around 5,000 hectares of the Burragorang Valley. This has the potential to inundate up to 5000 hectares of the UNESCO World Heritage-listed Blue Mountains National Park causing significant impacts on a declared World Heritage Property, a National Heritage place and listed threatened species and communities and destroy the last wild river in Western Sydney, the Kowmung River (Knowles 2020)².

The proposal to raise the dam wall will cause irreparable damage to extraordinary wilderness areas and wild rivers that are protected under legislation including Kanangra and Nattai Wilderness areas, declared under the Wilderness Act 1987, and the Kowmung River, a Wild River declared under the NSW National Parks and Wildlife Act 1967, which would be irreparably silted over.

Mr Field in his report to the NSW Parliamentary Committee wrote:

“It is unequivocal that the project will have significant, if not devastating, impacts on upstream biodiversity, including on critically endangered species like the Regent Honeyeater and pristine wild rivers like the Kowmung”.

(Thompson 2021a)³

There are 80 known species of threatened flora and fauna at and upstream of Warragamba Dam. The inundation of national parkland and part of the Greater Blue Mountains World Heritage Area, for at least two weeks at a time, will have significant detrimental impacts on threatened species and would mean the destruction of habitats supporting at least 26 threatened species that will potentially be driven closer to extinction. This includes two critically endangered ecological communities being the White Box-Yellow Box-Blakely’s Red Gum Grassy Woodland and Derived Native Grassland, and the Shale Sandstone Transition Forest of the Sydney Basin Bioregion. Threatened animals that will be impacted include the endangered Macquarie perch and the critically endangered regent honeyeater. The lake’s edge of the Burragorang catchment was a critical breeding ground for the critically endangered Regent Honeyeater and fewer than 350 mature regent honeyeaters remain in the wild. It is a species on the brink of extinction. (Thompson 2021b)⁴

¹ Kennedy, A. 2020, *Why we shouldn’t raise the Warragamba Dam wall*, National Trust, Viewed 29 November 2021, <<https://www.nationaltrust.org.au/blog/why-we-shouldnt-raise-the-warragamba-dam-wall/>>.

² Knowles, R 2020, *Raising of Warragamba Dam to destroy over 1,200 cultural sites*, National Indigenous Times, viewed 24 November 2021, <<https://nit.com.au/raising-of-warragamba-dam-to-destroy-over-1200-cultural-sites/>>.

³ Thompson, A 2021a, *NSW Coalition members urge alternatives to raising Warragamba Dam wall*, Sydney Morning Herald, viewed 24 November 2021, <<https://www.smh.com.au/national/nsw/nsw-coalition-members-urge-alternatives-to-raising-warragamba-dam-wall-20211005-p58xh1.html>>.

⁴ Thompson, A 2021b, *‘Selective editing’: Warragamba expert self-reported over changes to research*, Sydney Morning Herald, viewed 26 November 2021, <<https://www.smh.com.au/national/nsw/selective-editing-warragamba-expert-self-reported-over-changes-to-research-20211108-p596zf.html>>.

The area is also home to Sydney's last Emu population, and the largest wild population of the nationally threatened Camden White Gum. The inundation would include destruction of the Birrigooroo Waterhole in the Kedumba Valley, home to one of the rarest Eucalyptus species in the world, *Eucalyptus benthamii*.

Flooding the Greater Blue Mountains World Heritage Area is a direct contravention of the UNESCO World Heritage convention. There is a very real threat that raising the Warragamba Dam wall may result in the de-listing of the Greater Blue Mountains from the UNESCO World Heritage List, because it will impact on the outstanding heritage values for which the park was listed.

At the World Heritage Committee Meeting held in Azerbaijan in 2019 the UNESCO World Heritage Committee stated that "the inundation of areas within the property resulting from the raising of the dam wall are likely to have an impact on the Outstanding Universal Value of the property". Raising of the dam has the potential to place the Greater Blue Mountains World Heritage Area on the World Heritage Committee's List of World Heritage in Danger. (BMCC⁵; Kennedy 2020)

The Blue Mountains City Council stated that any threat to their city's cultural and natural values, and in particular the loss of their World Heritage status, would have a serious effect on the local economy, which depends heavily on 4.7 million annual visitors (BMCC).

The planned raising of the Warragamba Dam could also see the destruction of over 1,200 culturally significant Aboriginal sites. This includes scar trees, rock art and burial sites (Knowles 2020).

Hundreds of Aboriginal sacred sites are at risk of being flooded in the southern Blue Mountains, which has an extensive and rich cultural landscape belonging to the Gundungurra People. The area, including the Cocks and Wollondilly Rivers and Burragorang Valley, is a highly significant part of their Country, being the living embodiment of the creation stories about the formation of the landscape by ancestral beings. The rivers, waterholes and mountains of the Blue Mountains landscape tell one of the most intact and documented Dreaming stories in Australia. The flooding will destroy the sites of this story being Aboriginal cultural sites, creation waterholes and art.

The draft Aboriginal Cultural Heritage Assessment Report which forms part of the Environmental Impact Statement only surveyed 26% of the relevant area. However, it identified 300 sites of Indigenous cultural significance. (BMCC)⁶

⁵ Blue Mountains City Council (BMCC) n.d.a, Advocacy Warragamba Dam: Community Forum on the proposed raising of the Warragamba Dam wall., Viewed 26 November 2021, <<https://www.bmcc.nsw.gov.au/warragamba-dam>>.

⁶ BMCC n.d.b, Fact Sheet Warragamba Dam Raising: What's at stake? , Viewed 28 November 2021, <<https://www.bmcc.nsw.gov.au/warragamba-dam>>.

Furthermore, the NSW Parliamentary Committee in hearing evidence about the impact the project will have on Aboriginal heritage, including on sites that are part of the creation story of the Gundungurra People, noted that the traditional owners spoke of their frustration on the adequacy of the assessment of significant sites (Thompson 2021a).

The Gundungurra traditional Owners have not given free, prior, and informed consent for this project to proceed. Native Title has not been extinguished in the area to be flooded and the State Government is required to negotiate with Traditional Owners under the Native Title Act 1993 before taking any action that might extinguish Native Title (BMCC).

It should be noted that the Insurance Council of Australia withdrew its support earlier this year for the project, partly citing upstream risks to hundreds of Aboriginal cultural sites that would be inundated if the wall were to be raised. Furthermore, Insurance Australia Group removed their investment into the NSW Government's Warragamba Dam Raising Project citing concerns over the "loss of significant cultural heritage sites and important natural habitats" (Thompson 2021c)⁷

The Blue Mountains City Council formally opposes the NSW Government's proposal (BMCCa) and stated that it was likely that there would be significant damage to the cultural heritage of the Gundungurra First Nation.

There are several concerns regarding the accuracy of the environmental study undertaken for the project. It appears that the environmental impact statement has significantly reduced the expected toll on World Heritage bushland based on a consultant's paper.

Although the report found up to 92 threatened plant and animal species "could potentially be impacted", surveys were undertaken for threatened species at just seven locations across the Lake Burragorang area, with the report noting flora and fauna survey efforts were "less than required by the guidelines". Furthermore, the threatened species surveys used in their determination were conducted prior to the devastating 2020 bushfires. (Thompson 2021d)⁸ The NSW Parliamentary Committee recommended more fieldwork be done to account for the impact of the 2019-20 bushfires (Thompson 2021a).

⁷ Thompson, A 2021c, 'False comfort': Buy-backs call sparks government spat with insurers over Warragamba, Sydney Morning Herald, viewed 24 November 2021, <<https://www.smh.com.au/environment/conservation/false-comfort-insurers-call-for-land-buybacks-instead-of-raising-warragamba-dam-wall-20211020-p591ld.html>>.

⁸ Thompson, A 2021d, 'Grossly under-playing': Dam's impact to UNESCO area differs from leaked report, Sydney Morning Herald, viewed 24 November 2021, <<https://www.smh.com.au/national/nsw/grossly-under-playing-dam-s-impact-to-unesco-area-differs-from-leaked-report-20210929-p58vuo.html>>.

The NSW Parliamentary Committee found similar accounts from two researchers that the wording in their reports being altered to downgrade the environmental impacts of raising the dam's wall. Dr Crates stated that whole paragraphs had been excluded from his report when presented as part of WaterNSW's environmental impact statement (EIS) on the proposal. While words such as "will" were changed to "could" in conveying the gravity of impacts. Dr Crates stated that:

"There has been significant editing to the wording that I initially proposed for the upstream biodiversity assessment report, and that has been significantly diluted, presumably to water down the envisaged impacts of the proposed development," and found *"multiple instances of selective editing to favour the proponent's interests"* when he compared the draft EIS with the final report.

Furthermore, WaterNSW wanted certain impacts caused by the inundation classed as indirect rather than direct, which could impact how much is paid under the scheme. (Thompson 2021b)

Blue Mountains City Council noted that environmental protections were being watering down to enable the project to proceed. (Curtin 2021)⁹

An example of this is that the Water NSW Act 2014 (NSW) was amended in 2018 with the Water NSW Amendment (Warragamba Dam) Bill 2018 (NSW) to enable the State Government to legally flood a National Park (Knowles 2020).

Evidence heard by the NSW Parliamentary Committee cast significant doubt over whether raising the dam wall could minimise both downstream flood risks and upstream impacts (Thompson 2021a). It should be noted that around an average of 45% of floodwaters in the Hawkesbury-Nepean Valley are from sources other than the Warragamba Dam catchment that the raising of the dam wall would not be able to mitigate.

Furthermore, the CEO of the Insurance Council of Australia, Andrew Hall, stated no matter how high the wall was, there was always the possibility that the water could "over top" and spill. He said that:

"Even if we do raise the dam wall, that should never give false comfort because dam walls over top. No matter how big you build a dam, it can keep raining and then over top. So it holds back a bit of flood water but it eventually floods."

(Curtin 2021; Thompson 2021c)

There are several alternatives to raising the Warragamba Dam wall. A combined approach of several options would provide the best cost-effective means of flood risk mitigation. It should be noted that the EIS did not comprehensively assess such options nor their cost-benefits.

⁹ Curtin, J 2021, Opposition to Warragamba Dam wall raising, viewed 26 November 2021, <<https://www.bluemountainsgazette.com.au/story/7483301/spend-dam-money-elsewhere-council/>>.

Developments have and continue to be built on the Hawkesbury-Nepean Valley floodplains. Andrew Hall noted that the settlement in the Hawkesbury-Nepean Valley was the country's "biggest example" of historically poor planning decisions, with tens of thousands of people living on "one of Australia's most effective flood plains" (Thompson 2021c).

For example, in October 2019 Minister Ayres launched the Nepean Business Park project. This project is adjacent to the Penrith Lakes Scheme, which was identified by Penrith City Council in the Nepean River at Penrith Flood Study as a "major feature on the right bank floodplain" (Knowles 2020).

Andrew Hall stated that the proposed \$1 billion-plus of public money to be spent on raising the dam wall would be better used buying back flood-prone land that never should have been developed in the first place and that buy-backs should be given "serious consideration" (Thompson 2021c).

The NSW parliamentary committee has recommended lowering the full supply level of the existing dam, improved evacuation routes for Hawkesbury-Nepean Valley residents, and the consideration of buying back flood-prone land among alternatives to raising the height of the dam wall (Thompson 2021a).

Developer peak body, the Property Council of Australia, said when approved, the project should be treated as a top priority, joining the Urban Development Institute of Australia, another lobby group, in calling on paused developments in the north-west growth area to be revisited (Thompson 2021d).

The chair of NSW parliamentary committee, Independent NSW MLC Justin Field, stated that there were ongoing community concerns that the proposal was "more about opening up parts of the floodplain to increased development" (Thompson 2021d). I am inclined to agree with this.

This project will result in irreparable damage to the pristine natural environment of the Burragorang Valley and Kowmung River which will impact on the status of the Greater Blue Mountains World Heritage Area and significantly impact on the economy of the Blue Mountains area so reliant on tourism. The project will destroy Aboriginal heritage cultural sites such as scar trees, rock art and burial sites including sacred sites that are part of the creation story of the traditional owners the Gundungurra People. The project EIS appears flawed as insufficient surveying was conducted, and consultants' reports were changed seemingly to benefit the proponent. Increasing the dam wall height is not a solution for flooding in the Hawkesbury-Nepean Valley as nearly half of flood waters do not come over the dam wall but from other sources. Furthermore, alternatives need to be seriously investigated (including from a cost-benefit basis) including buying back flood-prone land and lowering the full supply level of the existing dam. A preclusion of further developments on known flood prone lands needs to be investigated.

Yours Sincerely

Alec Roberts

Gateshead NSW