

Submission
No 253

**INQUIRY INTO PROPOSAL TO RAISE THE
WARRAGAMBA DAM WALL**

Name: Mr Ramsay Moodie

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11th September 2019

Mr Justin Field MLC
Committee Chair
Select Committee on the Proposal to Raise the Warragamba Dam Wall
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Field,

Legislative Council Inquiry into the Proposal to Raise the Warragamba Dam Wall

The New South Wales Government is proposing to add a further 14 metres to the Warragamba Dam wall as a flood mitigation measure to reduce flooding along the Nepean and Hawkesbury. This additional wall height will be held in reserve to be used to capture flood waters in the event of a catastrophic, once a century, rain event. A decision on whether to proceed on this project will be taken considering the cost, the likelihood of the cost savings that it might provide, the efficacy of the project and the environmental impact of the project.

As an element of the project an environmental impact assessment is being prepared which, amongst other more environmental elements, will include an aboriginal cultural heritage study. This study has been undertaken to assess the impact of the periodic inundation of aboriginal sites that will be submerged when the dam water level increases by fourteen metres after a catastrophic rainfall event. It will require the assessment of land that will be inundated along the hundreds of kilometres of the shoreline of the existing lake. Land of which the Gundungurra nation has been the custodian since time immemorial.

This study has apparently already been completed and runs into some two thousand pages of report. Apart from the agreement of the initial study methodology, the relevant aboriginal community, including the two principle representative bodies of the Gundungurra nation, have not been invited to be involved in the detail of the Aboriginal Cultural Heritage Study. This would seem to be a peculiar denial of rights of participation that would have been assumed to exist given that all the parties including the NSW Government and Sydney water are party to an Indigenous Land Use Agreement with the two principle Gundungurra Groups that has at its heart an obligation to consult regarding future projects that might impact the lands subject to that agreement.

Rather than allowing participation in the study itself, the completed Aboriginal Cultural Heritage Study has now been delivered to the Gundungurra Groups for their review and comment. Not only were those groups denied any right of partnership or participation in the work of the Aboriginal Cultural Heritage study they have now been given a matter of weeks to respond to the study report. This rush, this push, presumably to meet an overarching politically committed timetable, is unreasonable and offensive and runs totally contrary to the intent of the ILUA mentioned above and is inappropriate on many counts.

The Gundungurra people have lived in the Southern Blue Mountains for eons. Current scientifically proven habitation goes back some twenty thousand years, that is to a time of about 18,000 BC, it may in fact go back much further. In view of this the heritage sites the subject of the above-

mentioned study have potential to be similarly aged. We are talking about a study of sites that potentially may predate many of the heritage icons that mark the line of human history. The great Pyramid of Giza 2,560 BC, the City of Babylon 2,300 BC, Stonehenge 3,000 BC. Even the cave paintings of Altimara at 21,000 BC, don't overshadow the possible age of Gundungurra sites in the Southern Blue Mountains. We are looking at a study of sites that are very, very old, and the precautionary principle has to suggest that such a study should not be rushed, that a proper and equitable time should be allowed for traditional custodians to assimilate, validate and to add to that study to ensure its completeness and the appropriateness of its recommendations.

The other huge element of this issue is one of equity. It emanates from the fact that we Europeans have hugely disrupted the sacred relationship between the Gundungurra people and the sites they have maintained over millennia. European colonisation and the fall out from contact between the colonists and the existing population, in this instance the Gundungurra people, has resulted in a loss of knowledge and a huge reduction in the size of the community bearing that knowledge. It is these facts that make it an imperative that the government allow a lot more time for the indigenous community generally to understand and add to the Warragamba Dam Wall Aboriginal Cultural Heritage Study.

The indigenous community should be allowed four to six months to consider the work done by the consultants. Furthermore the government should recognise the huge load being placed on a group that feels a spiritual responsibility for the land whilst having had the intimacy of their relationship with their country damaged by our impact. Funding should be provided to ensure the community can respond and add to that report such that the full value of what might be lost or damaged in this project is fully understood by the whole community.

Infrastructure NSW seems totally insensitive to the issues outlined above. I would be grateful if your committee could consider the concerns I have outlined. There is an issue of equity here that may only receive proper consideration in a forum such as that you are leading with this enquiry.

Infrastructure New South Wales needs to be directed to extend the period of time for response and to offer some financial support to enable the indigenous community, if they request such support, to properly respond to the draft Heritage Report that has been placed before them.

Yours Sincerely

Ramsay Moodie