

Submission
No 325

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

Name: Mr Damien Duncan

Date Received: 10 September 2019

Partially
Confidential

SUBMISSION

First and foremost, let us not forget that this is a World Heritage listed site of huge ecological, environmental and cultural significance. This wilderness area is the home of 48 species of native flora and fauna on the verge of extinction. This means once they are gone, we will never get them back. As a Nation *are we that soulless and blinkered*, by greed and ignorance to allow this to happen ?

The people of both NSW and Australia have not been presented by the NSW Government with documentation as it relates to (a) the impact that raising the wall and its construction might have on indigenous flora and fauna (given that the raising of the wall could lead to potential documented extinction events to numerous indigenous species (2). (b) the impact that the raising of the wall might have on the wild rivers of the area(c) the overall impact to the Burragorang Wilderness which is a region where the land is in a natural state and where impacts from human activities are minimal—this is, a **wilderness area. This is of extreme significance because** in world terms 77% of land – excluding Antarctica – and 87% of oceans had been modified by human intervention. When this is taken into consideration with the UQ and WCS study, [published in the journal Nature](#), which identifies Australia, the US, Brazil, Russia and Canada as the only five countries that hold the vast majority of the world’s remaining wilderness. The raising of the wall proposal is insanity (d) the potential for seismic activity as a result of increased water capacity, that could affect the area given that there have already been two seismic events directly linked to the Warragamba dam in 1961 & 1973. These seismic events measuring 5.5 on the Richter scale and being felt as far away as Goulburn, in other words felt over an area of 60,00 square kilometres. This combined with the fact that there have been over 43 earthquakes occur within 50 kilometres of Appin in the past two decades means that this is a huge risk factor.

A seismic event, is far more relevant to a potential human life tragedy than a so called “*perfect storm*” flood event which last occurred in 1863. At a time which was prior to the building of the current Dam or the construction of other dams such as the Medlow Dam, Greaves Creek Dam, Woodford Dam, the 3 Cascade Dams, Prospect Reservoir, Nepean Dam, Avon Dam, Cataract Dam, Cordeaux Dam and the Woronora Dam all of which would affect the flow of water in a major flood event and mitigate extreme flood risk (3). This information is extremely relevant especially given that raising the wall will not prevent flooding in the Hawkesbury-Nepean Valley and is an inadequate solution to managing flood risk. When you factor in that half of all historic flood waters have come from catchments outside of Warragamba Dam. (4)

There also appears to be very little significance given to the to the anthropological aspects of Gundungurra cultural heritage in the area. This takes on a deeper significance given that some Gundungurra descendants who have undergone DNA tests have identified the Papuan blood line in their test results which in, and of itself highlights a potential anthropological gold mine, when you consider the Papuan bloodline is at least 72,000 years old. This means there is the potential that they are descendants from one of the world’s oldest civilisations (5) & (6). Therefore, potentially the Burragorang wilderness could be an archaeological treasure trove of even greater significance than it already is?

This is significant given that only 27% of the 5000 World Heritage listed square hectares

SUBMISSION

have been surveyed and within that area a further 300 previously unknown culturally significant heritage sites had already been identified, and of these only a microscopically small percentage of these culturally significant sites have been documented and even then the value attached to these sites was ad hoc at best. This point being of particular significance when you consider that a vast proportion of Gundungurra cultural heritage was wiped out with the original flooding of the Burratorang valley and future flooding could ultimately, potentially lead to the “cultural genocide” of the Gundungurra people .

The possibility of destroying such an anthropological treasure trove is mind boggling. It is imperative that this is taken into consideration because Under section 86 of the National Parks and Wildlife Act 1974 (NP&W Act), including the 2010 amendments, it is an offence to harm an Aboriginal object. (7)

Under the NP&W Act harming an Aboriginal object includes to:

- Destroy, deface, damage or desecrate an object
- Move an object from the land on which it is situated
- Cause or permit an object to be harmed

The state Government appears to be demonstrating a colonialist mindset and a lack of cultural understanding in relation to aboriginal heritage sites and world heritage listed land, which appears to be in breach of the rule covering cultural heritage due diligence, which is required to ensure aboriginal artefacts are not harmed. The due diligence process should enable people to have confidence that if the process is followed, and if it should determine that there is no likelihood of harming Aboriginal objects, through both acknowledgement and understanding of cultural significance procedures should be put in place to ensure this does not occur.

From what has been presented thus far in accordance with the Australian ICOMOS Guidelines to the Burra charter: as it relates to cultural significance -:

“Where it becomes clear that some aspect of the task will require more investigation or more expertise than has been allowed within the budget or the terms of the agreement, the practitioner should advise the client immediately.” (8)

Accordingly, given what has been presented it is imperative that we ask if this has been done?

Despite the governments cries of righteous indignation and alleged looming catastrophic flooding , if you look under the hood you would have to question what is fact and what is actually fiction based on passed events which the government would love to sweep under the table. All one has to do is follow the paper trail from when the value of the flood plains

SUBMISSION

skyrocketed and exchanged hands for a hundreds of million-dollar profit during the Baird administration. The valley covers 425 square kilometres of floodplain and includes a property previously owned by Clydesdale Property Development Group. Chinese Australian was one of three Clydesdale directors when the company bought the land at Marsden Park in August 2014 for \$45 million. The entire property was classified as flood-prone. However, six months after then-premier Mike Baird announced in mid-2016 that the wall would be raised, Clydesdale sold the property for \$138.8 million - more than three times the amount originally paid. Interestingly enough Mr is also managing director of Waratah Group which donated \$300,000 to the NSW division of the Liberal Party in 2016 and \$250,000 in 2017, according to Australian Electoral Commission records.

The flood plain land sale preceded the push for the raising of the wall. Post that time the push for raising the wall has escalated, claiming it is to minimise the potential loss of life as a result of flood mitigation, when substantially this risk could be mitigated by simply not building on the flood plains in the first place.

In other words, steps the government are taking to force this work on the dam through parliament are nothing more than a rubber stamp. To highlight this point whilst the 'EIS' on the Warragamba Wilderness area has been carried out, soil from the M5 project has been dumped on the flood plain to raise it for housing construction purposes and you can obtain further clarification that the government have taken a bloody minded approach to the whole process in this regard by simply looking at the interview given by Gladys Berijikian in relation to the raising of the Dam wall which highlights that "come hell or highwater the government is going to push ahead" without and consideration to world heritage listing, cultural significance or any other environmental impediment. (9)

GENERAL SUMMARY

All language utilised in the governments EIS points to a mindset that elucidates a pre-determined outcome. In other words, it would appear that the EIS is a means to rubberstamp a predetermined end already decided by the NSW Government.

The theory of "Probable Maximum Flood" is expressed as a "fait accompli" as opposed to mere supposition. It is also relevant when you consider flood risk has been exacerbated by local councils and the NSW Government approving housing developments on low lying lands over several decades. Unfortunately, flood risk is likely to worsen given NSW Government plans to dramatically expand the number of people living on the floodplain in north-west Sydney, combined with increased frequency of severe storm events due to climate change. (11) Stop putting people in harm's way. **Because raising the wall will not stop the flood plain from flooding.**

Considering, the small proportion of area that has been surveyed how has the Government dealt with unexpected cultural heritage finds, given that 300 new sites have been identified. Have they prepared a "**Unexpected Heritage Finds Procedure:**"

(a)To manage unexpected these heritage finds in accordance with the guidelines and

SUBMISSION

standards prepared by the Heritage Council of NSW or OEH

(b.) If so was this done by a suitably qualified and experienced heritage specialist.

(c) If completed where is this procedure?

Have, all object of cultural significance been documented and recorded with OEH, if so where is the list of what has been recorded and can you state categorically that it is fully representative of what exists in the area?

Has the Government defined the extent of the impact on wilderness areas, as well as provide evidence that the proposal is consistent with the Wilderness Act 1987 and the management principles for wilderness areas .Assess impacts on land included on the National Heritage List especially, where land is declared wilderness under the Wilderness Act 1987 or on the World Heritage List as part of the Greater Blue Mountains World Heritage Area (GBMWhA) and lands declared as Wild Rivers under the NPW Act and the proponent must. Yet in the EIS presented none of this material to the indigenous stake holders and it was evident and when questions were raised that there did not appear to be a willingness to do so because we were informed this information was in other impact statements.

The premise for raising the Warragamba dam wall is allegedly the NSW Government's strategy for managing flood risk in the Hawkesbury-Nepean Valley, this strategy is predicated on allowing a minimum of 134,000 more people to move into harm's way. This is why the assessment of flood control favours raising the Warragamba Dam wall by ignoring its environmental and social impact, and the benefits of non-flood control alternatives. Because in terms of revenue from "stamp duty" *this is the goose that laid the golden egg.* Yet the Government ignores the fact that the wall could be raise 100m yet the flood plain would still be flooded in a major flood event because the flood plain, is affected by rivers outside the Warragamba catchment area.