

2 October 2018

The Hon. Gladys Berejiklian
Premier of NSW
Parliament House
Macquarie Street
Sydney NSW 2000

CC: The Hon. Gabrielle Upton, New South Wales Minister for the Environment

CC: The Hon. Niall Blair, New South Wales Minister for Primary Industries

CC: The Hon. Stuart Ayres, New South Wales Minister for Western Sydney

Dear Ms Berejiklian,

We are writing to express our deep concern regarding the *Water NSW Amendment (Warragamba Dam) Bill 2018* that is currently before the NSW Parliamentⁱ. This amendment will nullify section 153B of the National Parks and Wildlife Act 1974ⁱⁱ allowing the temporary dam inundation of two national parks, a world heritage property, a declared Wilderness area, a declared Wild River, a National Heritage site and the Warragamba Special Catchment Area by the proposed 14 metre raising of the Warragamba Dam wall. **We call on you to withdraw the Water NSW Amendment (Warragamba Dam) Bill 2018 from the NSW Parliament, and that plans to raise Warragamba Dam be taken off the table immediately.** Raising Warragamba Dam wall would put the Australian Federal Government in clear contravention to the World Heritage Conventionⁱⁱⁱ, and would justify placing the GBMWhA on the World Heritage in Danger List.

These natural areas are of the highest conservation value in Australia that should be preserved at all costs. There is yet to be even an environmental assessment completed on the impacts of the proposed dam development. The largest of flood events would inundate up to 4,700 hectares of national parks and 65 kilometres of wilderness streams above the current full storage level of the dam^{iv}. Inundation of this nature would result in extensive and irreversible damage to the integrity of the Greater Blue Mountains World Heritage Area (GBMWhA).

In 2000, the Blue Mountains National Park was listed on the World Heritage Register due to its “*exceptional representation of major eucalypt groups*”, “*exceptional diversity of habitats... of the Australian fauna within a single place*” and outstanding ecological integrity^v. The Warragamba Dam wall raising proposal would have a significant impact on these values, as well as the values for which the parks themselves are gazetted. For example, the nationally threatened Camden White Gum (*Eucalyptus benthamii*)^{vi} and the critically endangered Regent honeyeater (*Anthochaera phrygia*)^{vii} are two key species whose future existence would be threatened by the dam raising proposal^{viii}. At least 25 threatened species are known, or are likely to occur, within the national park estate that would be inundated by the proposal^{ix}. Numerous Indigenous cultural heritage sites, belonging to the Gundungurra people of the southern Blue Mountains, are also located within national parks that would be inundated by the dam wall raising. Delicate cave art, rare eucalypt scar trees, dreaming waterholes and marker sites are amongst the cultural heritage sites that would be submerged by a raised dam wall^x. An Aboriginal Place application was submitted to the NSW

Office of Environment and Heritage by traditional owners earlier this year in a further attempt to protect their cultural sites from the proposal.

It should also be noted that the Blue Mountains National Park Plan of Management explicitly recognises the cultural, National Heritage, scenic, catchment, wilderness, wild rivers and recreational values of the park^{xi}. These values would also be degraded by the proposal, most notably through the artificial inundation of the declared Kowmung Wild River and the associated catchment values which protect Sydney's drinking water supply. The proposed Bill seeks to remove the national park lands within the World Heritage Area from being subject to the Blue Mountains National Park Plan of Management. We view this as a retrograde step in the protection of Australia's World Heritage estate.

Several flood mitigation options have been identified as alternatives to raising Warragamba Dam wall, although it appears they will not be adequately investigated during the environmental impact assessment process^{xii}. Leading flood and water quality experts believe that mitigating flood risks in the Hawkesbury-Nepean Valley can be achieved through several equally cost-effective alternatives^{xiiiiv}. These include managing the existing storage of Warragamba Dam to mitigate floods, significant improvements in downstream evacuation routes, increased ability for flood forecasting, and the adoption of international best practice floodplain development controls in the Hawkesbury-Nepean Valley. **Such options would not cause environmental degradation within the World Heritage Area upstream of Warragamba Dam wall.** It is evident that housing development of downstream floodplains is a key driving factor for the dam wall raising proposal. Infrastructure NSW has said it forecasts an additional 134,000 people to live on downstream floodplains over the next 30 years^{xv}, more than doubling the existing floodplain population^{xvi}.

The impacts of temporary inundation caused by the raising of Warragamba Dam wall would significantly degrade the integrity of Blue Mountains National Parks, and therefore the outstanding universal values of the GBMWH. Because of this, the proposed legislation and the Warragamba Dam raising proposal should be withdrawn. We call on the NSW Government to ensure that any further decisions made regarding flood mitigation in the Hawkesbury-Nepean Valley be informed by the best available scientific advice, and that all impacts on National Park and World Heritage values be avoided.

Yours sincerely,

Peter Garrett AM

Former Minister for the Environment and Arts
Former President of Australian Conservation Foundation

Bob Debus AM

Former NSW Attorney General and NSW Environment Minister

Geoffrey Cousins AM

Former President, Businessman and Environmentalist
Former President, Australian Conservation Foundation

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Gundungurra Elder

Kazan Brown

Gundungurra Traditional Owner

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Paul Sinclair

Director of Campaigns
Australian Conservation Foundation

Jim Morrison

President
North Coast Environment Council Inc.

Rob Pallin

Paddy Pallin Foundation

Keith Muir OAM

Director
Colong Foundation for Wilderness

Madi Maclean

President
Blue Mountains Conservation Society

ⁱ *Water NSW Amendment (Warragamba Dam) Bill 2018 (Cth)*. Retrieved from <https://bit.ly/2QLj4Sn>

ⁱⁱ National Parks and Wildlife Act 1974 (Cth) s. 153B. Retrieved from <https://bit.ly/2OAVOoB>

ⁱⁱⁱ UNESCO. (2017). World Heritage Operational Guidelines for the Implementation of the World Heritage Convention, paragraphs 96-98. Retrieved from <https://bit.ly/2zrvhWr>

^{iv} WaterNSW. (2016). Prepared by BMT WBM Pty Ltd. Warragamba Dam Raising Preliminary Environmental Assessment, p. 26. Sydney, Australia. Calculated from inundation extents published in Warragamba Dam Raising Preliminary Environmental Assessment. Retrieved from <https://bit.ly/2rzXjtz>

^v NSW Office of Environment & Heritage. (2009). Greater Blue Mountains World Heritage Area Strategic Plan. Sydney, Australia. Retrieved from <https://bit.ly/2rEX116>

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- ^{vi} Butcher, P.A., Skinner A.K, & Gardiner C.A. (2005). Increased inbreeding and inter-species gene flow in remnant populations of the rare *Eucalyptus benthamii*. *Conservation Genetics*, 6:213-226.
- ^{vii} Colong Foundation for Wilderness Media Release (2018). Government attempts cover-up of NSW's rarest bird. Retrieved from <https://bit.ly/2QQ3RPN>
- ^{viii} NSW Department of Planning and Environment. (March 2018). Secretary's Environmental Assessment Requirements (SEARs). Retrieved from <https://bit.ly/2znglYy>
- ^{ix} WaterNSW. (2016). Prepared by BMT WBM Pty Ltd. Warragamba Dam Raising Preliminary Environmental Assessment, p. 13. Sydney, Australia. Retrieved from <https://bit.ly/2rzXjtz>
- ^x Guardian Australia. (2018). Warragamba dam wall plan 'would flood 50 Aboriginal heritage sites'. Retrieved from <https://bit.ly/2G3LAWF>
- ^{xi} NSW National Parks and Wildlife Service. (2001). Blue Mountains National Park Plan of Management. Sydney, Australia. Retrieved from <https://bit.ly/2PXICLL>
- ^{xii} Pittock, J. (2018). Managing flood risk in the Hawkesbury – Nepean Valley. Alternative options to raising Warragamba Dam wall. Available online <https://goo.gl/1BgoUk>
- ^{xiii} Ibid
- ^{xiv} Khan, S. (2012). Submission: Inquiry into the adequacy of water storage in NSW. Retrieved from <https://bit.ly/2pvgW4N>.
- ^{xv} Infrastructure NSW. (2017). Hawkesbury-Nepean Valley Flood Risk Management Strategy, p. 19. . Retrieved from <https://bit.ly/2wDd4VL>
- ^{xvi} Molino Stewart. (2012). Hawkesbury-Nepean Flood Damages Assessment, p. 32. Prepared for Infrastructure NSW. Sydney, Australia. Retrieved from <https://bit.ly/2MXahcH>