

Response to KPMG consultation paper Review of the Dam Safety Act 1978 and the NSW Dams Safety Committee

1. This is a personal response from one of ten Councillors of Armidale Dumaresq Council who are facing a multi million dollar upgrade of an antique dam (built c. 1896) which now is used as an important recreation site (but not waster supply).
2. We are currently in the expensive stage of complying with NSW Dams Safety Committee categorisation of our Dam (Dumaresq Dam) as high risk (based not on any observable structural deficiency other than age of the structure and the consequent inability to ascertain its compliance with state and national technical specifications for Dam Safety.)
3. From the public's perspective the Dam Safety Committee is inaccessible and its demands opaque in terms of understanding the relationship between the costs of " rectification" and the assessed danger to the public by non compliance with the ANCOLD standards.
4. Essentially there appears to be a misfit between the demands of the DSC and the needs of the community.
5. This seems to be because our Dam is being considered solely in terms of the ANCOLD standards rather than the role that it now plays in our community. We would like to be able to engage in dialogue with NSW DSC to see if alternative strategies (other than application of modern engineering intervention to a potenitally brittle structure) could be implemented to meet public safety requirements while enhancing the current use of the dam and the water it holds as a water recreation facility.

6. For example suggestion of detention basins or downstream engineering works to buffer flood impacts in the areas where the probable loss of life modelling has results in theoretical PLL above at or above the DSC trigger point for major engineering upgrade to Dam Wall itself, appear at present to be beyond the DSC competence or interest.
7. The capturing of the entire debate about what we as a community can do to manage risk by hard engineering solutions(rather than a range of solutions including better safety planning, monitoring, downstream amendments including soft engineering strategies including buffer dams etc) has created an opaque situation that is divisive and disruptive in our community which obviously wishes to deal with real risks in a way that enhances the current recreational options rather than having no enhancement value or indeed a negative one.
8. The approach of the DSC's regulatory role is now too narrow as it excludes consideration of full environmental system values. For example, our community would like to map a dam safety solution, such as that described above (downstream soft engineering that mitigated real PLL risks) while enhancing biodiversity and tourism values for our community (including incorporating now available high tech monitoring techniques) none of which could have even been contemplated in 1978. This conversation appears to be impossible under the current regime whose only language seems to be civil engineering solutions at the dam face.
9. The opaque nature of the dealings between the dam owner (AD Council) , the DSC and the community who are the fundamental stakeholder has created enormous

tension in our community and between its elected representatives on Council.

10. I agree with the fundamental *raison d'être* of the KPMG review, namely lack of value in terms of risk mitigation, for money spent or proposed to be spent under the present NSW DSC regime.
11. Recommendation 4 is particularly onerous on the Local Government Sector. If implemented it will cause another major "cost shift" from State to Local Government which the latter cannot afford and which is, with respect, unfair in terms of the NSW Local Government Sector's access to revenue in a rate pegged environment and especially given the high standards currently being imposed by the existing DSC regime.
12. Whilst recommendation 4 may make sense in an abstracted economic analysis it makes none at all in context of a deeply entrenched system of fiscal disadvantage to the Local Government Sector which owns a disproportional amount of government owned infrastructure but has such a statutorily stunted access to public revenues.

12 I look forward to the opportunity to discuss the matter during public consultation phase.

Sincerely
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