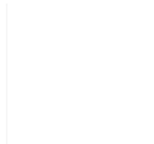


**From:** [NSW Government](#)  
**To:** [Flood Inquiry](#)  
**Subject:** Floods Inquiry  
**Date:** Monday, 13 June 2022 8:04:19 PM



## Your details

Title Mr

First name David

Last name Miles

Email

Postcode 2756

## Submission details

I am making this submission as A resident in a flood-affected area

Submission type I am submitting on behalf of my organisation

Organisation making the submission (if applicable) Emcee Equestrian Services

Your position in the organisation (if applicable) Managing Director

Consent to make submission public I give my consent for this submission to be made public

Share your experience or tell your story

## Your story

I own a property at [redacted] Pitt Town Rd, McGraths Hill, called [redacted]. I also own the adjoining property at [redacted] Pitt Town Bottoms Rd. I have owned the first property since 2001 and the second from 2008. The properties are set up as a business breeding, training and agisting horses. The business started small as most businesses do and has grown substantially up to 2020. The facility has in the vicinity of 50 horse yards, 12 stables with wash bays, medical rooms, tack rooms and machinery shed. We also have a training arena with full facilities. We have five acres of irrigated cultivation where we grow out own animal feed. There are three dwellings including a four bedroom house, a caretakers cottage and a workers cottage.

I said the business grew through to 2020, However the period between February 2020 and April 2022 we have had four major flooding events, two of which, (Feb 21/Mar 2022) inundated the house deeming it uninhabitable.

To give some context to flood activity on this property, we have three markers that indicate intensity of the impending flood. McKenzies Creek flows through the property into South Creek and to the Hawkesbury River. McKenzies Creek is at the bottom of the Killarney chain of ponds, a series of ponds, about 11km long beginning at Vineyard clearing waters into McKenzies creek, South Creek and the Hawkesbury.

On our property there is a causeway over McKenzies Creek giving access to our "bottom" paddock. This is the first flood marker. The second is the McKenzies Creek bridge over Pitt Town Rd, which is the main thoroughfare between Windsor Rd and Pitt Town. This bridge was "raised" and upgraded approximately 20 years ago.

The third marker is a man made wall/bank across our property built by the NSW Government I am told in the 1960's which was

apparently designed to hold back waters inundating the Pitt Town Bottoms and Pitt Town itself.

So in the last 20 years since I have owned this property, I have been able to observe all the major rain events and anecdotally correlate them to the three flood markers. My observations were that in an event of 3-5 inches the causeway to the back paddock would go over, and in a more substantial rain event, say 8-10 inches over a period, McKenzies creek bridge would go over and the road would be cut. I do not recall the exact number of times the bridges went under, but I would say roughly 6 times in 20 years. Up until 2020, the bank/wall had never been breached. In the last two years it has been breached four times – two major breeches and two catastrophic. So this is the measure that I used to be able to gauge the gravity of a flood and take appropriate action. In the context of my anecdotal observations, a couple of points need to be made. In all my time owning the property through to 2019, the Warragamba dam has never been full. I even remember a time during the drought when it got down to 40% so, until 2020 all rain events had happened with spare capacity in the dam. Since then, the dam has been at 100%. Since then, we have had four major events breaching my highest marker. In the last two years I have developed a timing marker for release. When the dam is let go I can almost guarantee that 8 hours later the bank/wall will be breached by water flowing the wrong way back up South Creek and McKenzies Creek. If required, I have videos of McKenzies creek flowing in a counter direction.

On one occasion after the March 2022 flood, which was subsiding and the McKenzies creek bridge had re-opened, I left the property overnight as our home was uninhabitable for the second year in a row after having 1.5m of floodwater through the living section of our

house. As we left, our front paddock had been drained of water. That night there was no rain in metropolitan Sydney, but the dam was again released and when we returned, the front paddock was once again inundated, the only explanation has to be the dam release?

In recent times another issue has arisen that is absolutely relevant to our flood situation. When this property was first acquired in 2001 we would drive here from Sydney. When we exited the M2 there were virtually no houses until Windsor, just farms and dairy farms, cattle and sheep and dams. Now there is nothing but housing developments.

As previously mentioned, specific to our situation is the Killarney chain of ponds stretching from Vineyard to Pitt Town specifically McKenzies Creek. At the head of the chain are a myriad of developments specifically "Fields of Carmel" "Box Hill" and "Riverstone" built on farmlands that previously filtered overflows into the chain: instead of dams and creeks we now have rooves and roads feeding directly into the chain. These observations are not just mine, speak to anyone in Pitt Town and our recollections are the same – less rain for more flooding. As an example: this week it has rained intermittently for four days. On 11th of May there was 10mm in my gauge and today 13th there was 15mm for total of 25mm or 1 inch old scale. I have just checked the causeway (marker No.1) and it is well over by about 300mm. While I accept that the ground is sodden from constant rainfall this year, it still beggars belief that a decade ago this event would take 3-5 inches, and now it is triggered by 1inch – something has changed!

This situation of massive housing development east of Pitt Town begs many questions. Most importantly around any research done, most specifically an Environmental Impact Study conducted to evaluate the impacts of upstream housing development in our area. I would note

that the said developments in question are outside our council area, is there any onus on neighbouring councils to consider the impacts outside their area? As another observation I have noticed at the head of the first chain of ponds (Pond No.1) at Vineyard, a new and quite massive shopping centre is being constructed, no doubt pouring millions of litres of rainwater and runoff down into the chain. That shopping centre is situated in the middle of what was a lake only a few years ago. Does this development have an E.I.S? By the way, I am in no way anti-development. I accept that Sydney has to expand west in order to grow. However, I would ask at what cost? The consequences of these major housing subdivisions is that we, at the bottom end of the chain of ponds will never be the same. I am a proponent of extending the Warragamba dam wall purely for flood mitigation purposes and I see it as doable by a government that is serious about it. It needs to be done post haste as our situation in Pitt Town is dire to say the least. In the face of events over the past two years we have scaled back our business and I quite frankly do not see that it has a future in this location. The logistics of finding temporary accommodation and transport for 30 odd horses, given six hours notice is daunting to say the least. My family and our employees are constantly on edge whenever there is a rain event, fearing it may trigger evacuation and all the issues that entails i.e. finding temporary homes for multiple horses. At one point this March it was touch and go that we may have horses drown – I never want to be in that situation ever again.

While it does seem like the dam raising option would mostly solve the flood situation from the Nepean/Hawkesbury end I am totally pessimistic about the inundation from upstream of the ponds. What is done is done (and is still being done at a rapid rate) and I can see no solution to the perhaps less than thoughtful infrastructure in

place in and around our waterways. In short, our fate is sealed to the east of the property rendering it now “unfit for purpose.”

If the last two years is our new reality and given all the above, I have no doubt it is, I don't think my property is viable as a business. Apart from the turf farms and houses down on Pitt Town Bottoms Road, the two most impacted properties are ours and the one on the other side of Pitt Town Rd, known as \_\_\_\_\_ at \_\_\_\_\_ Saunders Rd, which I believe is situated on the last of the Killarney Chain of Ponds as it becomes McKenzies Creek.

So where to from here? The dam raising is do-able with a reasonable government but the development are growing and there to stay. As I see it, our investment in the “\_\_\_\_\_” has been destroyed by events totally out of our control. I patently cannot sell the property as it is now seen as a serious flood risk and I cannot operate is as a functioning equine property. In my opinion, the government needs to set up systems of acquiring properties that through no fault of the owners are now not fit for use and never will be. The development upstream from McKenzies Creek are now “set in concrete” so to speak. I include with this submission a general view of the chain of ponds system and a closer view of \_\_\_\_\_ with three flood markers shown. If required I can also supply photo evidence of the devastation at \_\_\_\_\_, but I suspect you have seen plenty of that and get the idea.

Finally, I would like to restate the devastation of my family and employees at the possibility of losing horses to flood. In the '21 flood, we ended up with several dozen dead goats strewn over our property from upstream. I have nightmares imagining that they could very well have been our horses.

Rather than include the aerials of the Killarney Chain of Ponds, it would probably be more informative if I directed you to a report compiled re: the Vineyard Precinct called "Water Cycle Management Report" NSW department of planning and Environment Oct 2016. I would also draw your attention to another report by J Wyndham Prince "Water Cycle Strategy Report" (JWP WCM 2011). Both of these reports reference "Gaining additional developmental land" by modification to the ponds.

Could I draw your attention to 4.9.3.1 of the "Water Cycle Management Report" also reference "Water Cycle Management Report" 4.1.2 "The report identified areas where filling in the precinct (i.e. the chain of ponds) to maximise developable land" they appear to be promoting modification of the ponds to increase flow and maximise developable land. As this report was presented in 2016, I would ask if any of this modification has been completed.

After passing through the area weekly for the last ten years, the only modifications I have witnessed is the filling of the pond at Vineyard to make way for a shopping precinct at "Hills of Carmel." If the retention basin plan has been implemented as per "Results 4.10" then patently it has been a massive failure as we at the bottom of the ponds have been wiped out two years in a row. I keep seeing in these reports reference to "filling in of flood plain" to allow an extra "7 hectares of useable land" J Wyndham Prince (JWP WCM 2011) 4.1 additional redevelopable land. Is there any consideration of the consequences of their recommendations down at the bottom of the chain of ponds? It may not be a technical term, but I can report that we have been wiped out.

Links to the reports are below:

1. <https://www.planning.nsw.gov.au/-/media/Files/DPE/Plans-and-policies/box-hill-and-box-hill-industrial-precinct-plan-post->

- exhibitions-planning-report--2012-12.pdf?la=en
2. <https://www.planning.nsw.gov.au/-/media/Files/DPE/Reports/box-hill-water-cycle-management-report-2012-11.pdf>
  3. <https://www.planning.nsw.gov.au/-/media/Files/DPE/Reports/vineyard-water-cycle-management-report-2016-10-24.pdf?la=en>

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## **Terms of Reference (optional)**

The Inquiry welcomes submissions that address the particular matters identified in its [Terms of Reference](#)

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### **1.1 Causes and contributing factors**

1. Dam overflow in the Hawkesbury, caused by mismanagement of dam levels i.e. the Warragamba dam being at close to full capacity prior to a predictable serious weather event.
2. Overdevelopment of floodplain to the East of Pitt Town and Windsor

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### **1.2 Preparation and planning**

1. The legislation that disallows dam levels to be adjusted to a weather event needs to be changed. Even more important, the dam wall needs to be raised as a matter of urgency.
2. Development on the floodplains needs to be revisited to take into consideration the effects on properties and businesses downstream.

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### **1.3 Response to floods**

1. We live in an area heavily populated with equine businesses. The difficulty of finding accommodation with such little warning needs to be addressed. We contacted the state owned facility at Sydney International Equestrian Center and were turned down. In desperation we contacted the privately owned Warwick Farm Riverside Stables and were kindly given free accommodation for the 2 week duration that we were displaced, along with a number of other equestrian businesses and racing stables. It is incredibly disappointing that the major government owned facility with in excess of 200 stables was unable to help in a crisis, but the



private sector stepped up to rescue us when we had nowhere to go in a time of crisis.

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**1.4 Transition from incident response to recovery**

The local Hawkesbury council and all local emergency services, SES, RFS etc. were fantastic in the way they stepped up to assist in our recovery. Our house had 1.5m of floodwater through it, and the RFS helped us totally clear the house of debris: including mattresses, carpets and pretty much everything else, we couldn't have done it ourselves. The councils rubbish collection service has been impeccable, and our reception on our visits to the disaster center in Windsor have been highly satisfactory.

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**1.5 Recovery from floods**

This process is obviously going to be a long and arduous one for us. We are going through the process of applying for grants to cover loss of personal residential items and a myriad of business losses including fencing, building damage, crop damage, fodder and hay loss, machinery losses, loss of income and the prospect that our business is no longer viable due to the perception of persistent flood inundation. The April flood was our fourth major flood in 2 years.

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**1.6 Any other matters**

In Windsor and Pitt Town in the last two years we have been impacted from two directions. We have been inundated from the Hawkesbury/Nepean due to the dam uncontrollably overflowing during a major rain event. From the other direction to the east of our property we have been inundated by overflows from the excess developments happening in the Box Hill/Riverstone area. When these two events meet we bear the consequences from the poor management of our waterways.

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**Supporting documents or images**

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**Attach files**

- [Aerial shot of Pitt Town Rd.jpg](#)
- [Flood damage from house.jpg](#)
- [Stable Block.jpg](#)







