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Productivity Commission

E: basin.plan.2023@pc.gov.au

***Re: Submission of comment on the Murrumbidgee Water Sharing Plan***

Dear Sir/Madam

I am writing on behalf of the Upper Murrumbidgee Demonstration Reach (UMDR) partnership to provide comment on the Murrumbidgee Water Sharing Plan.

The UMDR is a regional partnership which aims to involve all catchment stakeholders in working together to improve and protect the health of the upper Murrumbidgee River for the benefit of native fish populations and the community. Key partners of the UMDR include Bush Heritage Australia, the Australian River Restoration Centre, Upper Murrumbidgee Waterwatch, the ACT Government and the University of Canberra. Our work is supported by Local Land Services, NSW Fisheries and the Murray-Darling Basin Authority in recognition that our work contributes towards the key outcomes which these organisations also seek. Our priorities include protecting and restoring riparian habitat, willow and Box elder control, mitigating erosion, improving instream habitat and connectivity, supporting better flow management, as well as community engagement, capacity building and raising awareness within our catchment community to foster strong river stewardship into the future. More information can be seen on our website ([upperbidgeereach.org.au](http://upperbidgeereach.org.au)).

The upper Murrumbidgee River is iconic- it is the headwaters of Australia's second longest river, it is home to 9 species of native fish (including natural, self-sustaining populations of Macquarie perch and Murray cod which are both nationally listed threatened species), is culturally significant to the Ngarigo and Ngunnawal peoples, and is relied on by our rural and regional communities for irrigation, recreation and as the source water supply for Cooma (the home of Snowy Hydro) and Canberra (our Nation's capital). All of these important ecological, social and economic values of the upper Murrumbidgee are underpinned by good river health.

The Murray-Darling Basin Plan (hereafter referred to as the Basin Plan) provides for the integrated management of water resources of the Murray-Darling Basin in ways that promote the objects of the Commonwealth Water Act, 2007 (hereafter referred

to as the Water Act, 2007), including the objective of optimising social, economic and environmental outcomes.

The requirement of the Commonwealth Water Act (2007) that the Basin Plan not to be inconsistent with the operations of the Snowy Hydro Scheme means that despite the Upper Murrumbidgee River having been substantially modified, the many benefits for our waterways resulting from the implementation of the Basin Plan have not been realised in the upper Murrumbidgee River. Instead the upper Murrumbidgee, (as well as the Snowy and the other Montane rivers included in the operations of the Snowy Hydro Scheme) are operated almost entirely for economic and energy purposes, severely impacting river health, Cultural connection and critical human water needs.

The Snowy Hydro Scheme currently captures more than 90 percent of average inflows to Tantangara Dam, diverting this water inland and away from the upper Murrumbidgee River. Natural pre-dam inflows are estimated to have averaged 260 gegalitres per year, but the total release over the last ten years has summed to only 179 gegalitres. Figure 1 illustrates the substantial reduction of flows resulting from the construction of Tantangara Dam along with the severe drought impacts which are now arising due climate change.

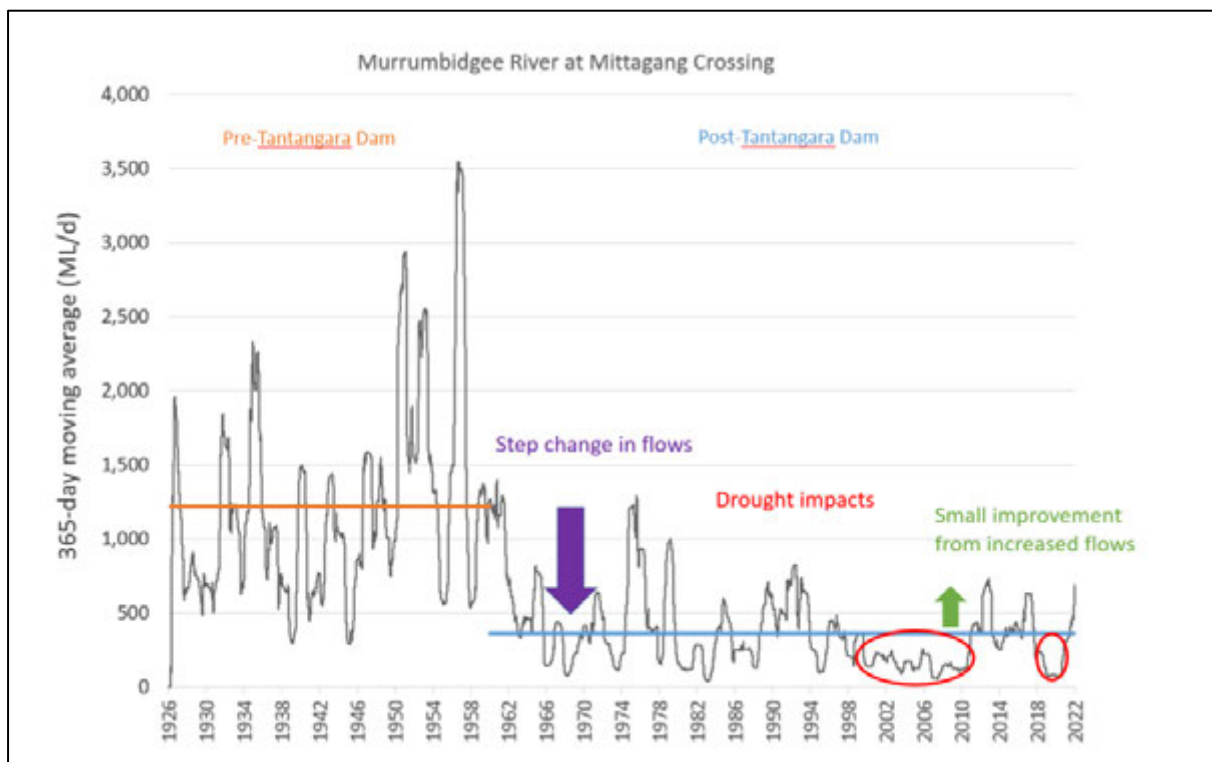


Figure 1. Flows in the Upper Murrumbidgee River at Mittagang Crossing pre and post construction of Tantangara Dam, noting the severe flow depletion experienced during drought periods.

This reduction of flows result in a range of impacts on the health of the Upper Murrumbidgee River, all of which are being exacerbated over time with increasing and ongoing social, cultural and environmental costs. These include:

- Ecosystem health rated in very poor condition, with the fish community rated as poor to extremely poor (Sustainable Rivers Audit 2008). Silver perch are now functionally extinct in the system.
- Significant sand slugs are creating barriers to connectivity and reducing habitat for a range of species, including fish and platypus. This is due to reduced flow conditions which allow the sand to accumulate.
- Periodic flushing flows are infrequent and totally ineffective in some reaches downstream of the dam, meaning that even fine sediment and bacteria cannot be cleaned out.

Despite this, the river still retains areas of high ecological significance, with critical aquatic habitat for several nationally threatened species, including Macquarie Perch & Murray Cod.

We are highly concerned that future pressures are likely to exacerbate the situation. Climate change will lead to an overall reduction in flows, coupled with an increase in water demand as our region continues to grow. Other compounding issues are a lack of on-ground compliance and critical knowledge gaps which are hampering better flow management decisions. If no action is taken we fear that the health of the upper Murrumbidgee will suffer imminent further decline.

We are not asking to make a good river better, we are calling for action to prevent the upper Murrumbidgee River from suffering irrevocable decline. One of our key partners, the Australian River Restoration River Centre, has developed a website which outlines how current management arrangements are impacting on the health of the upper Murrumbidgee River which provides further information ([theforgottenriver.au](http://theforgottenriver.au)).

Existing Snowy Hydro Scheme operations have many implications for the management of the upper Murrumbidgee River downstream of Tantangara Dam and are affecting the health of the river. Such impacts would not be tolerated by communities anywhere else in the Basin and are in contradiction to the objectives it seeks to achieve.

One major impact is that as the Snowy Scheme effectively 'sits outside' of water management frameworks such as the Murray Darling Basin Plan, the upper Murrumbidgee is classed as 'unregulated' in the NSW Water Sharing Plan. Hence the environmental flows for the upper Murrumbidgee, once released from Tantangara Dam, become part of the available 'unregulated' water source and so are legally able to be extracted by downstream water users. Furthermore this water can be substituted for Cooma's water supply as there is also ambiguity about whether riparian/baseline flow allocations can be afforded from the environmental flow allocation. Such lack of protection of environmental flows exists nowhere else in Australia.

There is no easy pathway to improve this situation, as the rules which underpin the Snowy Water License (which regulates Snowy Hydro operations) have not been reviewed and are not scheduled to be reviewed despite being over 20 years old. This means that everything we've learned about best practice river management can't be applied to the upper Murrumbidgee, Snowy or other Montane rivers. When there last

was an opportunity to review the actual Snowy Water License itself (occurs once every 10 years), town water supply and the volumes of water available to the environment were ruled out of scope, with no obvious reason as to why this would be the case.

As a result, the rules which govern environmental water management in the upper Murrumbidgee River are out of date with current expectations and the science about how rivers are best managed, including no carry-over, very limited-to-almost no active or adaptive management, allocations based on previous water year in-flows (out of sync with natural cues) and water use is traded off against one or other of the Montane rivers (impacting one river by taking flows to try and help another river). The latter arises because unlike Tantangara Dam, the structures allowing flows to be provided to the other Montane rivers are weir systems (meaning they are either 'on' or 'off'). This means that in dryer times decisions must be made as to which rivers will receive any water while others do not.

We acknowledge that management arrangements are complex, and that there are a number of agencies and mechanisms involved all of which have specific scope and responsibility. Under these current arrangements the upper Murrumbidgee River is 'falling through the cracks' and the decline of its health will be ongoing if action is not taken.

We understand that the Basin Plan cannot be inconsistent with the Water Act (2007) and this limits remedial measures which may be included. However we do ask that these issues are acknowledged, the impacts of the current management arrangements are noted and any recommendations for improvement (even if beyond the direct remit of the Basin Plan) be included in the Productivity Commission's Review.

Please note that this submission does not necessarily reflect the view of any one of our partners listed above. Please do not hesitate to contact the UMDR if you would like any further information on the contact details below.

Yours sincerely,

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