

To  
Address  
11 / 05 / 2022

Dear

**Re: Improving flows in the Upper Murrumbidgee River**

Our forgotten river - the Upper Murrumbidgee River is dying.

On the doorstep of our Nation's Capital, the 320km stretch of headwaters of Australia's second largest river is teetering on the brink of ecological collapse. The river's poor quality can be a hazard to human health and make it an unreliable drinking water source. This is breaking our First Nations people's songlines, impacting Cultural practice, ceremony, health and wellbeing. In 2019 the river ceased to flow at Tharwa because of upstream water management practices. It is critical that we act now to rectify the issues facing the Upper Murrumbidgee River, so that our forgotten river is not lost forever.

At the headwaters of the Murrumbidgee, Tantangara Dam captures more than **90%** of the water which flows into the storage as part of the Snowy Hydro Scheme. This disconnection of flows, in combination with land use changes and climate change, has caused large reductions in fish and other aquatic animals, and has seen the river increasingly closed for recreational use because of elevated bacterial levels. As Canberra's third source of consumptive water, it is increasingly becoming an unreliable source for our city and the surrounding region - this is of great concern to locals.

**We are asking that if you are elected, you will help save the Upper Murrumbidgee, by calling for actions that deliver a healthier Upper Murrumbidgee river for communities and ecosystems which depend on it to survive. This means a focus on better governance, transparency and accountability and management that ensures water quality and security, now and into the future.**

[Our forgotten river](#)

The Upper Murrumbidgee River has been completely forgotten by Federal and NSW water management reforms, ironically designed to improve the health of our waterways. Obscure instruments such as the Murrumbidgee Unregulated Water Sharing Plan, the Murrumbidgee River Water Resource Plan and the Snowy Water Inquiry Outcomes Implementation Deed, maintain the status quo for the Upper Murrumbidgee – a situation which is ensuring the **managed** destruction of the river.

The term 'unregulated' is applied to the Upper Murrumbidgee because the purpose of Tantangara Dam is to contain water for Snowy Hydro operations. If the dam's purpose was to manage downstream flows

to meet the water 'orders' of river pumpers who hold regulated water licences, it would be termed regulated. So although it is formally classified as an 'unregulated' river, the impact Tantangara Dam has on the Upper Murrumbidgee in relation to the capture, storage and disruption of the natural flow pattern, makes it a highly regulated system; and likely one of the most regulated 'unregulated' rivers in NSW.

Many of the issues facing the river are out-of-sight. The complexity of cross jurisdiction Federal, State and Territory water management makes it difficult to understand who is responsible, and why our river is in such a poor state. In particular, there is almost no visibility or transparency about how the river is operated within the context of the Snowy Hydro Scheme – a wholly Federal Government owned entity governed under its own legislation and agreement, excluded from the Commonwealth's water legislation for Murray-Darling water reforms, and with no accountability or opportunity for review. Given the implications for regional water security, human health, Cultural and environmental needs, this lack of visibility, transparency and accountability must change.

### How you can help

The Commonwealth *Water Act 2007* provides the legislative framework for ensuring that the Murray–Darling Basin – Australia's largest water resource – is managed in the National interest. It aims to ensure **water security for all water users**, and to **protect, restore and provide for the environment**. It also sets out requirements for water management under the *Murray Darling Basin Plan*, including for state governments to have water resource plans. Currently, the *Water Act 2007* explicitly excludes the Snowy Hydro scheme, which means this organisation's management of the headwaters of our major rivers such as the Murray, Murrumbidgee and Snowy, is **outside** the national framework we have in place for every other river in the Murray-Darling Basin. Given the declining health of the Upper Murrumbidgee, and the ongoing attempts to restore the Snowy River, it is clear that the *Water Act 2007* needs to fully encompass all of the Basin's water resources, including the operations of Snowy Hydro, if we are to ensure the long-term sustainability of downstream communities.

### So, what can you do for your community?

Under Section 253 the *Water Act 2007*, it states that before the end of 2024, the Federal Water Minister must "cause to be conducted a review of (a) the operation of this Act, and (b) the extent to which the objectives of this Act have been achieved."

Given the implications for river health, water security and environmental concerns for the headwaters of such major river systems within the Murray Darling Basin, we are asking you to be part of **bringing the Snowy Hydro scheme into the *Water Act 2007*, as part of the review in 2024, so that all operations affecting the Murray, Snowy and Murrumbidgee are included in the Commonwealth's water management framework for the Murray Darling Basin**. This would make Snowy Hydro accountable for requirements around critical human water needs for towns and water for the environment. It would also make certain that Snowy Hydro is included in the NSW Water Resource Plan for the Murrumbidgee River. Water management under the *Water Act 2007* is subject to review and audit functions of the Inspector General of Water Compliance. This action would help secure critical drinking water for the region and increase the amount of water to the environment. It would also protect this water from extraction and ensure water is managed in-line with contemporary best practice governance.

Although Snowy Hydro is a renewable energy company, this does not mean its practices are environmentally responsible or sustainable, and its record of starving upland rivers of water has been

known for decades. We need to collectively be smarter in our approach and foster practices that provide renewable energy and protect environmental, Cultural and social values of the waterways. At the end of the day, we are talking about water security for our regional towns, including Canberra.

#### But who owns Snowy Hydro you ask?

*“Snowy Hydro is a fully Australian-owned company, incorporated under the Commonwealth Corporations Act. It is governed by an independent Board of Directors, and operates on a strictly commercial basis (emphasis added). The Commonwealth Government is the sole shareholder of Snowy Hydro Ltd, from which it receives an annual dividend.”* ([www.snowyhydro.com.au/about/our-company/](http://www.snowyhydro.com.au/about/our-company/))

As a candidate for the Federal Parliament, and a local resident reliant on the river, **we are asking you to commit to an open and transparent enquiry into Snowy Hydro’s record of accomplishment on environmental, social and Cultural outcomes for the waterways it manages, and the impacts this has meant downstream, including for Canberra and the surrounding region. The enquiry should consider the allocation and release of water for the environment.** An open and transparent process is called for to ensure that our flagship renewable energy project is also providing a sustainable future for our communities, First Nations people and the environment.

Promoting Snowy-Hydro 2.0 as a world-leading renewable hydro-electric energy program disguises that it is having a disastrous effect on the rivers it impacts, and is resulting in the Upper Murrumbidgee becoming ever more degraded. As an organization owned and managed by our Federal Government – the sole shareholder – we must strive for sustainability and have transparency and accountability to guarantee that Snowy Hydro operates in a responsible way for the ecology and human communities.

#### State-based processes

The actions above are ones you can call for, should you be elected to the Federal Parliament. In addition to these, there are state-based instruments you should also be aware of in relation to regional water security and health. The current small amount of water for the environment, which is released from the Snowy Scheme, is not protected and can simply be pumped out of the river. **We need the existing environmental water available to be protected in the system.** This requires changes to rules in the Murrumbidgee Unregulated Water Sharing Plan. It also relies on New South Wales improving its metering, monitoring and compliance in the region to ensure water is not stolen. As residents, we have our water metered and checked regularly. The same should be for those who pump from the river.

The Murrumbidgee Unregulated Water Sharing Plan is currently being reviewed by the NSW Natural Resources Commission (NRC) and, at this stage, the status quo of neglecting the Upper Murrumbidgee river is expected to continue. Concerns on the impact of the NSW water management were submitted to the NRC by the ACT and Region Catchment Coordination Group. The Group’s membership includes ACT and NSW Government agencies, local council and community representatives from within the region. The submission is yet to be published by the NRC, however it reinforces the issues raised within this letter together with supporting evidence. Resolving issues that cut across State/Territory borders is the role of the Commonwealth Water Resource Plans, under the Basin Plan. Resolving the issues highlighted above and in the Catchment Group’s submission requires the Basin Plan to be given full effect through the NSW Murrumbidgee Water Resource Plan. This Plan is expected to be submitted to the Commonwealth Government by mid-2022 for accreditation by the Commonwealth Water Minister.

The New South Wales government is also consulting on its Regional Water Strategy which is investigating the future impacts of climate change on water security. Early signals are that the Upper Murrumbidgee river **will be heavily impacted by climate change** and is already experiencing these impacts. Given it is Canberra's third source of drinking water, we need to factor this into our own regional drinking water security planning. Consultation on this strategy for this region will be in Queanbeyan on 18 May 2022.

### Despair and anger

There is existing community concern, with the wider Canberran and regional community becoming more aware of these matters. In January 2021, a Ngunnawal Elder wrote to the Federal water Minister outlining how the current arrangements were failing First Nations people. Concerns for the ecology were raised at a [Fish and Flows](#) community and science forum held by the Upper Murrumbidgee Demonstration Reach (UMDR) in June 2021, where participants heard how a lack of flows was impacting native species and water quality. In March 2022, the Upper Murrumbidgee Catchment Network (UMCN) held a [regional water quality and security forum](#), where participants learned of the **lack of protection** for minimum flows and environmental water, and the threat this poses to regional water security and reliability. UMCN has also published an [infographic about these issues](#). Many of these matters have now been documented in a case study which was submitted to the Murray Darling Basin Authority as part of the Australian Capital Territory's reporting obligations under the Murray Darling Basin Plan. We strongly urge you to review this document for further background on this topic.

### Awareness and action

This region is fortunate to have access to the expertise, ideas and enthusiasm of concerned community members to improve the Upper Murrumbidgee, but we now need your help to raise broader awareness and advocate for change. We believe that the steps outlined above are critical for improving the health of our regional waterways and importantly, **still provide a context for the sustainable generation of hydropower for the region**. We are simply asking for a better balance for communities and the environment, consistent with the reforms advanced for the rest of the Murray Darling Basin.

You can save the Upper Murrumbidgee, by calling for:

- **Better governance:** bring the Snowy Hydro scheme into the *Water Act 2007*, as part of the review in 2024, so that all operations affecting the Murray, Snowy and Murrumbidgee are included in the Commonwealth's water management framework for the Murray Darling Basin.
- **Transparency and accountability:** commit to an open and transparent enquiry into Snowy Hydro's record of accomplishment on environmental, social and Cultural outcomes for the waterways it manages.
- **Water quality and security:** advocate for a healthier Upper Murrumbidgee river for communities and ecosystems which depend on it to survive.

If you would like to know more, please contact our program coordinator Andy Lowes at [Andy.Lowes@arrc.com.au](mailto:Andy.Lowes@arrc.com.au). We would welcome the opportunity to meet with you.

Thank you for considering this matter.

Yours sincerely,

11 / 05 / 2022

Signed by Dr Siwan Lovett for and on behalf of  
The Australian River Restoration Centre, together with:

Ms Antia Brademann, Facilitator, Upper Murrumbidgee Demonstration Reach  
Professor Fiona Dyer, Centre for Applied Water Science, University of Canberra

