



Regional Water Strategies
Department of Planning, Industry and Environment
regionalwater.strategies@dpie.nsw.gov.au

20 May 2022

Submission on the Murrumbidgee Draft Regional Water Strategy

Dear Sir/Madam,

The National Parks Association of NSW (NPA) was formed in 1957 and sixty-three years later there are 15 branches, 4,000 members and over 20,000 supporters. NPA's mission is to protect nature through community action. Our strengths include state-wide reach, deep local knowledge, evidence-based approach to conservation advocacy and commitment to the creation and professional management of protected areas in NSW.

NPA believes that healthy and resilient river systems are vital for our collective wellbeing. We have consistently advocated for sound environmental and community outcomes through participation in government processes and collaborative projects with other environmental groups and academic bodies.

NPA welcomes the opportunity to comment upon the *Murrumbidgee Draft Regional Water Strategy*. Please note that we have chosen to make this submission as a letter rather than through your webportal or submission questionnaire. The following confidentiality and privacy information is provided as per the submission questionnaire:

I give permission for my submission to be publicly available on the NSW Department of Planning and Environment website

I do not need the following personal details to be kept confidential:

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I do not identify as an Aboriginal person.

I am making this submission on behalf of an organization, the National Parks Association of NSW, a peak environmental organization.

General comments

The objects of the Water Management Act 2000 are to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The National Parks Association of NSW (NPA) therefore believes a

primary consideration for all regional water strategies should be to protect and sustain healthy and resilient freshwater ecosystems and their associated biodiversity (flora and fauna). This is because water is more than just a resource; it is fundamental to life. Healthy and resilient freshwater ecosystems underpin health and resilient regional communities. Despite this, freshwater ecosystems are amongst the most vulnerable and threatened ecosystems in the world.

The regional water strategy for the Murrumbidgee sets out the regional context and outlines the options under consideration. Fifty-three options cover a range of issues from indigenous ownership through to bushfire management. The NPA is supportive of most of the options listed in the RWS. The NPA does not support many of the options regarding upgrading or additions to existing water structure. This is because a variety of ecological research shows dams have significant impact not only on people downstream but also on associated floodplain ecosystems.

For each option, a list of considerations is provided. The NPA is of the view that the list of considerations in many of the options listed is too narrow. Many of the options will be less efficient in both their implement, and their ability to realize good outcomes unless the additional consideration listed in our submission are included.

Detailed comments

1. Meeting the needs and aspirations of Aboriginal people: options 1-8

Water Act 2007 (Cth) stipulates that Aboriginal people's values and aspirations must be taken into account in water resource policy and management directives. The Water Management Act 2000 (NSW) also provides for legal recognition of native title rights for 'personal, domestic and non-commercial traditional uses' and has provision for a cultural access licence. While the NPA are supportive of the overall description of each of the eight options, the considerations listed for both Option 2 and Option 7 are too narrow.

- Option 2 commits to a review of cultural access water. However, the existing licensing arrangements for water were formulated before we understood what genuine consideration of indigenous cultural perspectives means (Indeed in option 6 of the RWS this is acknowledged in the statement "Aboriginal *people's rights and obligations are not adequately recognised or provided for in current water laws and policies*"). The NPA therefore believe the focus on clearly defining 'what the licences can be used for' must extend to include the possibility of amending the legislation to enable proper inclusion of a diversity of cultural water perspectives.
- Option 7 commits to support long-term participation of local Aboriginal people in water related matters. However, one of the problems not mentioned is that the fees involved in water licencing and use inhibits Indigenous group being actively involved in water management- particularly when the use of that water has no economic return. The NPA believes there is a need to include a consideration of "*how the costs involved in*

managing Indigenous water allocation with no financially productive use can be reduced”.

2. Current water sharing arrangements based on 120year of data: options 9-13

The NPA supports options 9 – 13 that cover reviewing different aspects of current water sharing arrangements subject to these being in the context of improved outcomes for environmental health. Thus, there is a need to include other considerations including:

- considerations in Option 9 should commit to an outcome rather than an activity. Thus *“an assessment of any potential environmental impacts (e.g. direct impacts on threatened species and ecological communities) and implications on held and planned environmental water and possible (environmental) offsets to ensure Basin Plan requirements are met”* should be re-stated as *“reducing any potential adverse environmental impacts (e.g. direct impacts on threatened species and ecological communities) and implications on held and planned environmental water and possible (environmental) offsets to ensure Basin Plan requirements are met” as well as “an assessment of how the rules can be used to help realize the native fish ecological objectives in the long term Murrumbidgee water strategy”.*
- considerations of Option 11 which is focused on a review of groundwater extraction limits states it will *“incorporate up-to-date information, including scientific studies”*. We know that our understanding of groundwater ecosystems and groundwater dependent ecosystems is rudimentary (and this is stated within option 23 of the RWS). Thus, an additional consideration that needs to be listed to align with the intent of ‘including scientific studies’ would be: *“any improvements in our understanding of the health of groundwater ecosystems and groundwater dependent ecosystems”*

3. Insufficiently integrated land and water planning and management: options 14-17.

While supportive of the overall intent of these options. The scope of considerations within some of the options need to be broadened.

- **Option 14** should also add a consideration that limited water availability might trigger restrictions in land use planning legislation which limits the growth and land use in an area. That is we should not just predict development and provide water to where development should occur- it is a ‘two way street’- were water limitations may direct development to other areas.
- **Option 17** enhance southern floodplain management plans, needs to give specify that these plans will give primacy to wetland ecosystems and the water requirements of these wetlands. There are a significant number of wetlands that could be affected. There are about 1000 wetlands between Gundagai and Hay that are less than 5 hectares: 15 of these are nationally significant. The water resources around Tumut and Brungle are also recognised as being in a near natural state. Along the Murrumbidgee below Burrinjuck dam there are 323 wetlands outside state forest and national parks.

4. Vulnerability of town water supplies and amenity: Options 18-23

The NSW NPA strongly supports options 18 & 19 to encourage water recycling opportunities for all towns. Water can be used for a range of purposes, and it is a waste of resources to treat water to a potable standard only to use it to water gardens or hose down driveways when lower quality water can achieve the same outcome.

Option 20 is supported as such storage could reduce the need for extraction directly from our river systems, minimise evaporation, and the need for dams or weirs. Thus considerations within this Option need to include the benefits for aquatic ecosystems that would result from reduced direct extraction from our rivers and streams.

Option 21 aimed at reliance on groundwater sources for town water supply is not sustainable in the context of the current over-allocation and overuse of groundwater in the Murrumbidgee Region and the poor condition of groundwater sources. A better response would be to also consider land planning legislation so that water use, and extraction, is supply driven rather than demand driven.

Option 22 aimed at maintaining amenity needs to also consider the cost/benefit of extractive uses versus amenity for a range of water bodies that the community see as important in the Murrumbidgee

5. Degradation of riverine and floodplain ecosystems: Options 24-32

The NSW NPA strongly supports options 24 – 32, but recommends the following:

- Option 22 aimed at maintaining water-related amenity during droughts may be in direct conflict with the needs of the natural environment. The NPA is concerned that the scale of this option remains unclear. Specifically, while there is the potential for a relatively small volume of water to have many benefits to a large number of people: why can't the water be purchased on the market? Or why don't the residents in the town vote for local councilors who will make this a priority? Overall, the NPA does not see why this option cannot be resolved through other existing mechanisms.
- Option 24 should work in tandem with Option 16 regarding the Snowy Water Licence review as well as with option 30
- Option 25 which seeks to improve flows to important ecological sites, needs to also consider that the Murrumbidgee catchment supports a range of water-dependent ecosystems, including instream aquatic habitats, riparian forests, and floodplain watercourses, woodlands, and wetlands and as such:
 - Effective conservation means that there must be specific water allocations and water plans for each protected area that contain aquatic and semi-aquatic ecosystem. That is there is no point having a plan of management for these conservation areas, if there is no mechanism to support the ecosystems they contain
 - The RWS needs to acknowledge that these freshwater communities vary east to west and the geomorphological features that are critical to their health varies. In

order to maintain these geomorphological elements, the way the flows are managed may vary. In the East they are montane peatlands and bogs bound by valleys, while to the west the unregulated and regulation system provide spill over from the riverbank to create a complex interwoven and interconnected series of channels (rather than discrete billabongs). Periodic flows are required to scour channels, rework sediments, oxygenate water and allow fish passage in order to maintain their health.

- Option 30 needs to not only consider the environmental watering requirements of the Murrumbidgee Long-Term Water Plan but also the native fish ecological objectives in that plan.
- Similarly, Option 31 needs to include a consideration of the native fish ecological objectives in the Murrumbidgee Long-Term Water Plan but also

6 Limitations of existing water infrastructure, delivery, and operations: Options 33-43

The NSW NPA strongly opposes options to increase water storage capacity in the Murrumbidgee River through new dams, storage structures, or raising of dam walls. A key object in the NSW Water Management Act (2000) is to *protect, enhance and restore water sources, their associated ecosystems, ecological processes and biological diversity and their water quality*. The NPA is of the view many of the options in 33-43 are in conflict with the Act.

Several scientific studies show that the cumulative impact of dams, diversions, and river management infrastructure has turned many floodplain communities in the Murrumbidgee into terrestrial ecosystems. Such structures have also led to cold water pollution, and significantly impeded fish breeding events. As such options 33 – 43 are likely to cause further degradation of the riverine and floodplain ecology and further loss of habitat for threatened and migratory species. The RWS need to recognise that a river and freshwater dependent ecosystems are more than just a river channel: flows to floodplain wetlands serve an ecological function and are not lost or wasted.

NPA is concerned that these options embed the myth that dams, and diversions are the most appropriate way of providing water security, community wellbeing and environmental health. NSW must make a fundamental shift from excessive interventions and over extraction of water to an approach that recognizes that healthy river systems retain water in natural landscapes and support biodiversity, our quality of life and natural sequestration of carbon.

7. Limits to water availability in times of a changing climate: Options 44-53

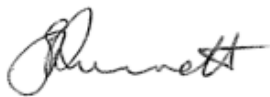
The NPA notes that: i) new climate modelling and updated hydrological modelling for the Murrumbidgee catchment has not been completed and only indicative climate prediction. However prior work by the CSIRO in 2008 suggests should conditions continue average surface water availability would reduce by 30 percent, diversions by 18 percent and end-of-system flow by 46 percent.

This means that while the NSW NPA is generally supportive of Options 44-53, but recommends the following:

- Option 50: This option should be amended to address the need for research and reporting into the efficacy & cost of the current cloud seeding program in the context of climate change predictions. NPA does not support expansion of cloud seeding in water catchments.
- Option 53 that considers hydrological process in bushfire management also needs to consider the status of aquatic fauna in that area that might be vulnerable if ash laden rainfall run-off were to flow into the catchment (affecting aquatic biota including endangered species such as the Macquarie Perch)

I can be contacted at garyd@npansw.org.au or on 0432 757 059

Yours sincerely,



Gary Dunnett
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National Parks Association of NSW
protecting nature through community action