

## NSW South-West Water Users Association

Submission to The Office of the NSW Chief Scientist as part of their investigation of Fish Deaths at Menindee.

June 2023

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### **NSW South-West Water Users Association (SWWU)**

Represents water users on the Murray River downstream of the Murrumbidgee River to the SA border and the Lower Darling River (Baaka) downstream of, and including, the Menindee Lakes.

Our members divert water for stock and domestic needs and for irrigation of permanent plantings (horticulture, wine and table grapes) and annual crops.

We use both NSW high security and general security licences as well as stock and domestic entitlements. Our security of water supply for both consumptive use and the river environment depends on water coming from upstream.

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### **Background**

- There have been 2 major fish death events in recent years at Menindee.
- Both events are symptomatic of failures in river management. Our comments below reflect this.
- Both events occurred in different scenarios. One in a dry season and the other following a significant flood.
- In both cases, the deaths were principally in the Menindee Town Weir Pool – specifically the area upstream of Weir 32 and below the main weir.
- The Lower Darling River generally and Menindee specifically are at the junction of The Northern and Southern Components of The Murray Darling Basin.
- There is widespread local concern at the lack of any coherent policies at either a Federal or State Level which connect the Northern and Southern Basins.
- It is self-evident that water quality in The Menindee Town Pool is one of the causal links to fish deaths.
- The Lower Darling is widely recognised as an extremely important fish breeding site.
- The main weir at Menindee does not have fish passage capability.

### **Specific Issues**

- All policies – both State and Federal – effectively ignore water quality and river health.
- Current NSW WSP's do not coordinate issues along a river – only within sections of a river.
- The lack of any fish passage infrastructure effectively concentrates fish populations immediately downstream of the Menindee Main Weir.
- Release policies from Menindee are rigid and governed by The Murray Darling Basin Agreement.

## Recommendations

- All jurisdictions should aim to lessen the risk of future large scale fish deaths. We acknowledge it is unlikely the risk can be eliminated.
- Construction of Fish Passage Infrastructure at Menindee should be prioritised.
- Flow management, specifically in the Menindee Town Weir pool, should be prioritised and subject to significant investigation.
- Water Sharing Plans (WSP) in NSW (and hence Water Resource Plans (WRP) under the Basin Plan) should be redrafted to implement the intent of the NSW Water Management Act. This specifically gives priority to the management of the river over any other allocation decisions. It should be noted that the NSW WSP's in their current form do the exact opposite of this.
- The inclusion as 'hard rules' in Water Sharing Plans (and consequently the Water Resource Plans) of realistic triggers which prevent access from low priority uses upstream when downstream conditions are poor.
- In practise, this means downstream river health – and the minimisation of the risk of serious problems arising - becomes a higher priority than irrigation allocations upstream. This comment particularly applies to 'low priority' access such as Supplementary, Floodplain and High Flow.

We can discuss these issues in more detail at any time. Our contact details are as follows-

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