

The Recreational Fishing Alliance of NSW

Promoting Sustainable Fishing



23 July 2021

The Hon. Adam Marshall MP
Minister for Agriculture and Western New South Wales
GPO Box 5341
SYDNEY NSW 2001

Impacts of rural irrigator's activities on native fish

Dear Minister,

On 6 Jan 2021 the RFA wrote to you asking for a response to our original letter regarding the impacts of rural irrigator's activities on native fish in NSW waterways. We have not received a response.

We also noted your previous advice to the RFA that we contact Dr Craig Boys if we had any more questions, however the RFA believes that Dr Boys is not in a position to speak on your behalf on such a significant issue about actions under legislation.

The RFA continues to pursue the points below—matters that we feel have been overlooked by the NSW Government:

- whether the killing of fish and other aquatic organisms through irrigation pumps contravene existing laws, including the *Fisheries Management Act 1994*, *Water NSW Act 2014*, *Protection of the Environment Operations Act 1997*, *Environmental Planning and Assessment Act 1979*, *Biodiversity Conservation Act 2016* and the *Local Land Services Act 2013*
- who is liable for any offences associated with the killing of fish and other aquatic organisms through irrigation pumps
- whether the use of Trust funds under section 233 of the *Fisheries Management Act* to meet the cost of installing screens on irrigation pumps to prevent the killing of fish and other aquatic organisms is permitted under that Act, and
- what remedies are available to prevent further killing of fish and other aquatic organisms through irrigation pumps.

We have made the same enquiries to the Natural Resources Access Regulator (NRAR) and received the response that “The issues and legislation are within the remit of the Department of Primary Industries (Fisheries)”.

The RFA respectfully asks you once again “as a Minister who oversees the *Fisheries Management Act 1994*, can you explain how is it possible that we allow fish and other aquatic animals to be killed as part of irrigation water extraction when the various legislations listed above contain objectives that include the protection, restoration and enhancement of the environment and protection of fish and other aquatic animals?”

Yours faithfully

Stan Konstantaras
President
Recreational Fishing Alliance of NSW