

# Murrumbidgee Customer Advisory Group - Minutes of Meeting



**Location:** Video Conference

**Date:** 29 April 2021

**Time:** 9.00am

**Present:** Tanya Thompson (Chair), Peter Sheppard, James Maguire, Glenn Lok, Bede Spannagle, Paul Maytom, Bruce Campbell, Iva Quarisa Jenny McLeod (observer), Aniket Prasad (observer), Jonathan Dickson, Vince Kelly, Enrico Proietti, Sonia Townsend and Toni Hayes.

The following attended for specific agenda items: E Taylor (2.1), C Braddock (2.2), D Stockler, R Cocks (3.1 & 3.5), A McKenzie-McHarg (3.2), A Wakenshaw, M Stuart (3.3), C Boys (3.4), A Fraser (3.6) and T Milne (5.1).

**Meeting Opened:** 9.00am.

## 1. Introduction:

### 1.1 Welcome and introductions

1.2 **Apologies:** Lindsay Golsby-Smith

### 1.3 Confirmation of Agenda Items

### 1.4 Declaration of Interest(s)

- Declarations of interest were sought from attendees in relation to the meeting's agenda items. No interests were declared. Items included in the agenda are not considered confidential unless declared as such.

### 1.5 Minutes of Previous Meetings, 26 November 2020:

- Resolved the minutes of meeting held on [26 November 2020](#) be confirmed as a correct record. Taken as read.

*B Spannagle/P Sheppard  
carried*

### 1.6 Actions arising from minutes

- See action sheet attached.

## 2. Assets:

### 2.1 Asset Maintenance update (E Taylor)

- Asset performance and maintenance in the Murrumbidgee and Lowbidgee valleys presented and discussed, including routine preventative and corrective maintenance delivery.
- The CEWO commented that outages at Burrinjuck Dam have been flagged and questioned if this will affect the timing of the mid-Murrumbidgee reconnection flow and, given Burrinjuck is above 80%, are the works still scheduled or has there been a change to timing? Taken on notice.

**Action MBG2104.01:** WaterNSW to confirm if outages at Burrinjuck will affect timing of the mid-Murrumbidgee reconnection flow.

*Responsibility: E Taylor*

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- Customers noted that Warriston Weir has been budgeted for maintenance cost of \$800,000 and questioned what this work is for. WaterNSW advised the cost is an estimate until contractors put pricing together. Taken on notice.

**Action MBG2104.02:** WaterNSW to provide information on the works planned at Warriston Weir.

*Responsibility: E Taylor*

## **2.2 Rural Pricing Submission & Capital Plan update: FY22-25 (C Braddock)**

- WaterNSW presented an update of the rural pricing submission capital plan for the for the Murrumbidgee and Lowbidgee valleys, including FY22-25 renewals and overview of the proposed FY22 capital plan.
- Renewals include Burrinjuck Dam mechanical, cableway coating and electrical renewals, Murrumbidgee and Lowbidgee civil works and Lowbidgee gate renewals.
- Customers queried whether high dam storage levels will present a risk to the work planned on the high-level outlets Taken on notice.

**Action MBG2104.03:** WaterNSW to advise whether high dam storage levels will present a risk to the work planned on the high-level outlets.

*Responsibility: C Braddock*

- Customers questioned whether outages will be required for the coating work at Burrinjuck and Blowering dams. WaterNSW advised that Blowering Dam has issues where parts of the outlet have no redundancy, so undertaking work can be a challenge to ensure continuity of service. The WSP is clear about what work can and can't be done and any work will be done during the lowest demand period. Affected customers will be consulted prior to work commencing. We are not anticipating outages at Burrinjuck Dam.
- WaterNSW is not expecting any outages at Burrinjuck Dam. There may be a modest impact to outlet capacity under certain scenarios however will be minimal.

## **3. Presentations/Consultation:**

### **3.1 Water Reform Implementation Plan (WRIP) Update (J Dickson)**

- WaterNSW provided an update on the non-urban metering reforms, including a recap on the roll out dates, conditions that apply now for all water users and pathways to compliance.
- From 1 April 2019, conditions that apply for **all water users**, regardless of rollout date, include requirements for faulty metering equipment (self-report within 24 hours on S91i, manually record take, repair/replace within 21 days), new or replacement meters (pattern approved, tamper proof and validated by DQP, LID) and inactive works (check approval).
- There are currently 15 pattern approved meters [listed on the MDBA website](#) ranging from 25mm to 1800mm.
- DPIE maintains the [list of compatible data logging and telemetry devices \(LIDs\)](#), which is designed to help water users and DQPs understand which devices have been tested and meet requirements of the DAS. It is the responsibility of water users to ensure they purchase a fit-for-purpose device that meets their needs.
- For DQP Portal enquiries, email [DQP.Enquiries@waternsw.com.au](mailto:DQP.Enquiries@waternsw.com.au). For questions on Government-owned meters, email [Meter.Maintenance@waternsw.com.au](mailto:Meter.Maintenance@waternsw.com.au)
- To find a local DQP please see the [Irrigation Australia website](#).

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- The first 182 government owned meters have been scheduled, the first 39 have LIDs and there are 12 MACE meters in progress for replacement. WaterNSW will contact all holders of government owned meters ahead of the rollout dates with more information.
- Customers noted Grant Barnes has been on radio expressing frustration that only a small percentage of meters are compliant and questioned if this included any government owned meters. WaterNSW advised that all government owned meters are moving towards compliance. We are doing our best to meet the timeframes but there are some things out of our control and we are in the same position as all customers.
- DPIE and NRAR have a number of resources available to help water users understand the new metering rules, including a [Metering Guidance Tool](#), [metering leaflet](#) and [compliance fact sheets](#).

### 3.2 Regional Water Strategy update (A Fraser)

- In late 2019, WaterNSW consulted with customers on options for inclusion in the 20-Year Infrastructure Options Study (20YIOS), which we were intending to take to IPART to seek funding for customer preferred infrastructure options in the valley.
- In early 2020, DPIE commenced work on the Regional Water Strategies (RWS) in 6 initial valleys, which didn't include the Murrumbidgee, Murray-Lower Darling or Barwon-Darling valleys. The RWS includes broader options that go beyond the asset options identified by WaterNSW in the 20YIOS, including river operations, rules of the valley, and environmental water and Aboriginal water use.
- In June 2020, WaterNSW was requested to cease work on developing the 20YIOS and provided our findings to DPIE to incorporate into the RWS work. WaterNSW has since reviewed original costings of the 38 options and developed to delivery status, (more detailed accurate costings), and provided to the department for consideration and further development.
- DPIE has now commenced work in these regions and has begun gathering information in the Murrumbidgee, Murray and Barwon-Darling valleys. As far as we are aware, to date they have not produced a long list of options for these valleys, however there will be public meetings for stakeholder input to identify options.
- DPIE has engaged ARUP to cost the options for the whole state and is about to commence the second stage of the RWS to narrow the list of options to be progressed. A document will then be produced for further discussion to move to the next phase in the process.
- Customers noted it has been quite some time since the 20YIOS discussions and customers have not been given any information about what was put forward. WaterNSW advised that 8 options were put forward at the workshop, 3 of which were supported by customers (*refer to action MBG2104.02*). Only those options that were supported by customers were put forward to the RWS. At DPIE's request, WaterNSW has ceased work on the 20YIOS program and has not sought funding to progress the options. The RWS will be completed at the end of the year, which will give more of an idea on what projects are supported by government.

**Action MBG2104.04:** WaterNSW to provide a copy of the notes of the 1 November 2019 Levels of Service workshop held in Griffith.

*Responsibility: A Fraser*

**Action MBG2104.05:** WaterNSW to present a refresh of Murrumbidgee options discussed and agreed to at the November 2019 Level of Service workshop at the next meeting.

*Responsibility: A Fraser*

- Customers questioned if there has been any progress on Lake Coolah. WaterNSW advised this option was put aside as not agreed to and not progressed in the 20YIOS, however the RWS

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changes things. If there is a new approach it is extremely important it goes into the RWS for consideration.

- DPIE's contact for the RWS is Kaia Hodge, Acting Executive Manager, Regional Water Strategies – [kaia.hodge@dpienew.gov.au](mailto:kaia.hodge@dpienew.gov.au)
- The RWS is trying to capture the whole valley from start to finish. Stakeholders should identify all of the options they consider are important.
- Customers stated the 20YIOS assumed the SDL mechanism proceeded but this hasn't happened and is a weakness in previous discussions. Agreed.
- Customers stated it appears DPIE is speaking to a very narrow group as this is the most they have heard on the RWS in the Murrumbidgee to date. WaterNSW will pass on feedback to DPIE.

### **3.3 Floodplain Harvesting Measurement (FPH) Rules (A McKenzie-McHarg)**

- Volumetric licensing and accounting rules will soon be implemented in the northern basin river valleys, with the key to FPH take, being the ability to accurately measure it. Water users will need to install a variety of equipment to enable take.
- The Floodplain Harvesting Measurement Policy was released in July 2020, with regulations to enact the policy expected late April 2021. To support this policy and regulatory development, DPIE has developed [guidelines for water users as well as DQPs to install systems to be measurement ready](#).
- It is the responsibility of water users to ensure they are compliant with regulations, engage a DQP to install measurement equipment and establish survey benchmarks and secondary measurement devices (ie gauge boards). DPIE noted the recent flooding has slowed some of this work.
- The DQP Portal is continuing, with a new release scheduled each month. DPIE has worked hard to get as many trained as possible, 28 have completed the IAL training with the 4<sup>th</sup> round recently completed.
- A lot of consultation has been done through webinars with suppliers, installers and landholders. DPIE has completed roadshows in the 5 northern valleys, A "what we heard" is due for release soon.
- Some of the main issues captured include the list of sensors and LIDs available. 11 sensors suitable for FPH exist with 4 LIDs still in testing (see DPIE website).
- Timeframes are tight and a lot of feedback has been received on this. DPIE is very aware and is working with different parts of government to see what can be done.
- DQP and supplier availability is a known issue. There is a lag time with orders for LIDs (up to 4-8 weeks) and DQP availability is scarce. Training for DQPs continues.
- Functionality of accounting systems and operation – DPIE has heard clearly that even though data is collected hourly, it is only uploaded daily. More near-real-time data is preferable, and DPIE is encouraging the market to come up with a product, working actively with suppliers, government and NRAR.
- Customers questioned if the recent rainfall has affected the rollout of measurement. Yes, particularly with secondary measurement devices where installation becomes challenging in full storages. DPIE is aware of the challenges and working through the options.
- If you have any questions on FPH Measurement, email [FPHmeasurement@dpienew.gov.au](mailto:FPHmeasurement@dpienew.gov.au)

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### 3.4 Natural Resources Access Regulator (NRAR)

#### NRAR's use of discretion in the compliance process (A Wakenshaw)

- NRAR approaches investigations on a case by case basis and uses discretion to determine its response, with consideration to harm, culpability, history and attitude. Serious, substantiated and wilful acts of non-compliance will face the full force of the law. Where non-compliance occurs out of ignorance, with little harm caused, other tools or educational measures may be used.
- NRAR's approach to water compliance model presented and discussed.
- NRAR has a range of tools at its disposal for regulatory response and uses discretion to apply them. Punitive measures include statutory direction, penalty infringement notices, civil action, licence action and prosecutions. Other tools include education and awareness campaigns, advisory letters, written and verbal warnings, cautions, enforceable undertakings and corrective action requests.
- The Floodplain Harvesting (FPH) disallowance created some uncertainty, with FPH licences to be issued in 2021. Until that time, water taken must be in accordance with an access licence, works/use approval, exemption or basic landholder right. NRAR will use discretion to investigate suspected breaches and will take action against wilful, harmful and serious non-compliance. NRAR will consider the ambiguous environment the disallowance has created alongside key regulatory principles.
- Many issues arise when water users don't know or are unsure of the rules. NRAR is creating a suite of education resources to help water users, including a new video [Know the Rules – Licences and Approvals](#). Other [NRAR education resources](#) can be found on NRAR's website.
- A full list of NRAR actions, including prosecutions, can be viewed on the [NRAR Public Register](#).
- To contact NRAR, please email [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au) or call 1800 633 362

#### Satellites in water monitoring and compliance (M Stuart)

- In NSW NRAR monitors, audits and regulates water take across >800,000 sq/km; >42,000 water access licenses and >33 000 works approvals for irrigation alone, therefore technology and innovation are crucial.
- Water take assessments play a key role in proactively assessing where and whether potential non-compliance may be occurring. A water take compliance assessment framework is applied to determine if the water take is lawful with regard to timing, volume and location.
- NRAR uses technology systematically to monitor and assess compliance across vast areas on almost any water issue in NSW, with technology and capability improving all the time.
- NRAR has access to many technologies, tools and expertise, including Sentinel and Landsat satellite imagery, Planet satellite imagery, SkySat, nearmap and drones, as well as external agency expertise such as MDBA, DPIE and Geoscience Australia.
- Examples of how NRAR uses satellite imagery and technology to detect potential unapproved irrigation presented.
- To ensure compliance, water users should be proactive, notify WaterNSW of errors or omissions, understand and follow the terms and conditions of your Works Approvals, Access Licences and Water Sharing Plans and contact NRAR if you are unsure.

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- Customers questioned how well-phased the satellite system is to measure water linked with aquifers and will the technology pick up on volume of water going down the system (ordered), then parts that connect/reconnect with aquifers. NRAR noted satellite imagery doesn't measure volumes of water going down rivers, this is much better measured by gauging stations.
- Customers noted the recent press release by NRAR spoke about a 'desk top audit' which suggested many people had not yet commenced work and questioned what the findings were. NRAR noted the audit is done in 3 stages – a desk top audit, phone calls, then physically verifying the information. NRAR is finding people are making a reasonable effort to comply and over the next 5 weeks will have boots on ground to follow up and verify information received so far and will continue to report. Customers noted the optics are not good for water users with only partial information released to the public (ie stating high non-compliance when not necessarily the case).
- Customers queried what volumes of water, and value, are involved in the NRAR cases. NRAR stated it can't be broken down into value as compliance is not routinely about establishing volume.
- A full list of NRAR actions, including prosecutions, can be viewed on the [NRAR Public Register](#).

### **3.5 NSW Fisheries (C Boys)**

#### **Fish Screens: better farming, better fishing**

- NSW Fisheries has been working on research to create a new design criteria to protect Australian native fish species and has been installing modern screens to create showcase sites in the Macquarie and Lachlan valleys, which has been possible through collaboration with water users, engineers, manufacturers and anglers.
- NSW Fisheries has been working on the research to create new design criteria to protect Australian native fish species and through this has created [Fish Screens Australia](#), which is hosted by the angling peak body OzFish.
- Customers commented it is good to see improvements being made, not realising how many fish are being lost within the system due to inadequate screens.
- Customers are interested to see the maintenance and lifespan of the screens. NSW Fisheries noted this is part of the consideration when designing and installing screens.
- Customers questioned where the work is up to in relation to options for larger offtakes. NSW Fisheries advised there are options available now.

### **3.6 Regulatory Economics – Pricing Determination Engagement (J Dickson)**

- WaterNSW presented an update on the rural and WAMC pricing submissions, including MDBA and BRC pass-through charges, proposed price changes and WaterNSW's comments on IPART's draft report, which was released on 16 March 2021. A public hearing was held on 30 March 2021, with new pricing to take effect 1 July 2021.

#### **Rural Pricing Determination**

- WaterNSW will respond to IPART with a number of comments and questions and seek to understand some of the recommendations in the draft report, including opex reductions, catch up efficiencies approach, insurance, fishways, capex reductions, cost allocation, WACC and inflation.
- The draft report, [Review of WaterNSW's Rural Bulk Water Prices](#), is available on IPART's website.

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- Customers questioned if WaterNSW is obliged to follow IPART's direction on cost shares. WaterNSW is obliged to follow cost shares in terms of our pricing submissions, however we made a detailed submission to IPART during the Cost Shares review commenting on the impactor pays principle and the impact to customers. A number of customers also made submissions to IPART on this.

### WAMC

- WaterNSW/DPIE/NRAR's proposal to cap fees at +5% has been reduced by IPART to +2.5%.
- The draft report, [Review of Prices for the Water Administration Ministerial Corporation](#), is available on IPART's website.
- WAMC proposed price changes over the 4-year determination presented. WaterNSW is responding to IPART on the methodology IPART has proposed on consent transactions (20% reduction), water take assessment charges (reduced), WACC (set at 1.3%), customer management charges (reduction of \$5M) and opex and capex reductions (top-down reductions) and will go back to IPART to seek to understand this more.

### Metering

- WaterNSW submitted its proposal to IPART on 30 November 2020 (delayed from 30 June due to developing regulations). IPART has not yet confirmed its final position on the proposal, recognising costs for implementation of metering reforms will need to be covered. A final report is due in June 2021.
- Obligations for compliance to the non-urban metering reforms is the responsibility of the work approval holder. There are ongoing obligations for the majority of all works in terms of recording and reporting and for metered works and regular maintenance to ensure the equipment is working accurately.
- WaterNSW's submission was designed to support water users in meeting their compliance obligations and minimise any risk of non-compliance and seeks to provide water users value for money and remove barriers to the uptake of telemetry. Our ability to support water users as we had planned and priced in our submission is contingent on funding.
- Proposed costs and inclusions/benefits presented and discussed, including government-owned meters. Costs were allocated by licence and meter rather than by entitlement as water user obligations are similar irrespective of pump or entitlement size.
- WaterNSW is continuing to work with IPART in a detailed manner, understanding Regulations, clarifying assumptions and working on ways WaterNSW can reduce costings to customers.
- Customers questioned if they can opt out before or after the meters are made compliant. WaterNSW advised that customers can opt out whenever they choose, however the meter may not get handed back as WaterNSW may repurpose it elsewhere within the fleet. Consideration will be made on a case by case basis.
- DPIE has extended compliance dates for some water users with **existing** metering conditions in 5 WSP areas, including the Murrumbidgee Regulated River Water Source. DPIE is in the process of writing to affected water users. Information can be found at:  
<https://www.industry.nsw.gov.au/water/metering/compliance-dates>  
[https://www.industry.nsw.gov.au/\\_data/assets/pdf\\_file/0006/358161/wsp-metering-extensions.pdf](https://www.industry.nsw.gov.au/_data/assets/pdf_file/0006/358161/wsp-metering-extensions.pdf)

### 3.7 Major Projects update

- Taken as read.

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### **3.8 IPART Economic Framework Review**

- IPART has started a review on its approach to regulating water pricing and licensing in monopoly water businesses in NSW. The review will provide an opportunity for stakeholders to help shape the future performance of the water sector.
- The review, released in November 2020, is available on [IPART's website](#).

### **3.9 Engagement Landscape – Customer Conversations (J Dickson)**

- As presented at the previous meeting, WaterNSW proposes to broaden its engagement for the next pricing proposal (FY25-FY29) which is due in 2024. CAG membership will be first of those engaged, with the addition of a wider community of customers and water users to ensure that what we propose in terms of investment reflects our customers' views.
- Engagement will commence in three stages, with WaterNSW producing a 'conversation kit' for small groups to talk and respond online to questions on trade-offs WaterNSW manages. Meetings will then follow on emerging and common themes discussed. We anticipate this will contribute to a more informed pricing discussion on the areas Customers believe WaterNSW should spend their time on leading to the potential of a customer supported pricing determination submission.
- Customer Conversations will be launched in the next month.

### **4. Business Papers:**

- Noted and taken as read.

### **5. General Business:**

#### **5.1 Balranald Shire Council – eWater Optimisation Project proposal (V Kelly)**

- CICL requested WaterNSW comment on the Balranald Shire Council proposal.
- Balranald Shire Council has been working on the project for 12-18 months to look at ways to maintain water in Yanga Lake more efficiently. WaterNSW understands DPIE has taken this on to look at as an option in the SDLAM process.
- The project involves raising Balranald Weir 1-1.5m to elevate the water level, which should be sufficient to push water upstream to connect to Yanga Lake through Tala Escape so that water can be delivered to Yanga Lake.
- Balranald Weir is an aging structure with some operational issues (manually operated drop board structure) and has issues around flood impacts. The primary purpose is to maintain a pool for access for Balranald Shire Council town water supply.
- Benefits and risks discussed.
- Customers questioned what the source of water would be for Yanga Lake if the upgrade goes ahead. WaterNSW advised it would likely be environmental water. Environmental water holders have been engaged in the proposal and are also actively engaged in the SDLAM process.
- Customers commented that all stakeholders should be exposed to the project if there is potential for different outcomes for the valley in terms of service, river operations and future costs. The CAG should have an understanding of the overarching benefits and future likely costs impositions of projects in order to make an informed trade-off decision, particularly if costs are going to people who are not impacted or benefited by the project.
- WaterNSW noted this is currently only a proposal. Balranald Shire Council can't take carriage of the project on its own as WaterNSW owns the structure. The proposal is primarily about environmental outcomes, which doesn't stack up solely from that perspective, so not likely

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WaterNSW will take it up. The proposal needs to go through the SDLAM process, which is currently with DPIE to take forward for consideration.

## **5.2 Managing Deliverability Risks in the River Murray – responding to questions (T Milne/I Takker)**

- The MDBA did a presentation in Deniliquin on 2 March 2021, with both Murray and Murrumbidgee CAG members invited. Only one representative from Murrumbidgee attended.
- An email with a copy of the presentation was sent to all Murrumbidgee and Murray CAG members on 5 March 2021, which also included links to further reports, public webinars and relevant contacts in the MDBA.

**Action MBG2104.06:** Resend the email and MDBA presentation on Managing Deliverability Risks in the River Murray to the CAG.

Responsibility: T Hayes

### **Meeting Review and Close**

**Next Meeting:** Wednesday 28 July 2021

**Meeting closed:** 1.00pm

## Murrumbidgee Customer Advisory Group – Actions – 29 April 2021

### Carried forward actions

Action No.	Action	Responsibility	Status
<b>MBG2007.01</b>	WaterNSW to collate feedback and review the necessity for holding two meetings in the Murrumbidgee valley (CAG and ROSCCo).	J Dickson / V Kelly	<p><b>Complete.</b></p> <p>Feedback collated and reviewed.</p> <p>Customers expressed dissatisfaction at having to attend both the CAG and ROSCCo meetings to get the information they once received at one meeting. Customers acknowledged the ROSCCo came about from the need to consult more quickly around drought operations with more frequent meetings and additional stakeholders however stated that given the valley is no longer in drought, operations should go back to being presented at the CAG.</p> <p>WaterNSW recognises customer sentiment and considerations are occurring internally.</p>

### New actions

Action No.	Action	Responsibility	Status
<b>MBD2104.01</b>	WaterNSW to confirm if outages at Burrinjuck will affect timing of the mid-Murrumbidgee reconnection flow.	E Taylor	<p><b>Complete.</b></p> <p>WaterNSW is gradually shifting the releases to Blowering to provide a maintenance window at Burrinjuck (4 hours of low flows). The maximum release capacity at Burrinjuck is around 8,000ML/day through the low-level valves for the next 8-10 weeks.</p>
<b>MBG2104.02</b>	WaterNSW to provide information on the works planned at Warriston Weir.	E Taylor	<p><b>Complete.</b></p> <p>Warriston Weir is included in the FY22-25 renewals plan for execution in FY25 for \$500K.</p> <p>It was identified that Warriston Weir has cracks in the wall and undercutting on the downstream of the apron, the cost estimate is based on replacement of the downstream apron and repairing the cracks.</p>

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			Please note this is a desktop estimate which will need refinement once we undertake a structural assessment to determine the magnitude of the problem and develop options and the high-level estimate would include potential fish passage option if triggered.
<b>MBG2104.03</b>	WaterNSW to advise whether high dam storage levels will present a risk to the work planned on the high-level outlets.	C Braddock	<b>Complete.</b> High storage levels are a consideration and there would be a cost impact if the storage is too high (increase in dive costs installing the baulks).
<b>MBG2104.04</b>	WaterNSW to provide a copy of the notes of the 1 November 2019 Levels of Service workshop held in Griffith.	A Fraser	<b>Complete.</b> Emailed to CAG members 30/4/21.
<b>MBG2104.05</b>	WaterNSW to present a refresh of Murrumbidgee options discussed and agreed to at the November 2019 Level of Service workshop at the next meeting.	A Fraser	<b>To be presented at the July 2021 meeting.</b>
<b>MBG2104.06</b>	Resend the email and MDBA presentation on Managing Deliverability Risks in the River Murray to the CAG.	T Hayes	<b>Complete.</b> Emailed to CAG members 29/4/21.

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