



COVERSHEET

Minister	Hon Dr Megan Woods	Portfolio	Building and Construction
Title of Cabinet paper	Building (Dam Safety) Amendment Regulations 2023	Date to be published	28 September 2023

List of documents that have been proactively released

Date	Title	Author
August 2023	Building (Dam Safety) Amendment Regulations 2023	Office of the Minister for Building and Construction
17 August 2023	Building (Dam Safety) Amendment Regulations 2023 LEG-23-MIN-0137 Minute	Cabinet Office

Information redacted

NO

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Building (Dam Safety) Amendment Regulations 2023

Portfolio **Building and Construction**

On 17 August 2023, the Cabinet Legislation Committee:

- 1 **noted** that in February 2021, the Cabinet Economic Development Committee (DEV) agreed to policy decisions for a set of Dam Safety Regulations for the post-construction safe management of dams in New Zealand [DEV-21-MIN-0008];
- 2 **noted** that in May 2022, the Cabinet Legislation Committee authorised the submission to the Executive Council of the Building (Dam Safety) Regulations 2022, to come into force on 13 May 2024 [LEG-22-MIN-0052];
- 3 **noted** that in February 2021, DEV authorised the Minister for Building and Construction to make decisions, consistent with the proposals in these recommendations on any issues which arise during the drafting process, and minor, technical and timing changes to these proposals as required [DEV-21-MIN-0008];
- 4 **noted** that the dam classification certificate prescribed by the Building (Dam Safety) Regulations 2022 contains two unnecessary fields of flood performance and earthquake performance, which will significantly increase time and cost to complete the classification;
- 5 **noted** that the Minister for Building and Construction approved a minor and technical change to the Building (Dam Safety) Regulations 2022 to remove the fields for flood performance and earthquake performance from form 1 of Schedule 3 of the Building (Dam Safety) Regulations 2022, which is consistent with the original policy proposals;
- 6 **agreed** that the Building (Dam Safety) Amendment Regulations 2023 include the minor and technical change outlined in paragraph 5;
- 7 **noted** that the Minister for Building and Construction authorised the Parliamentary Counsel Office to draft the amendments without reference to Cabinet, as these are minor and technical changes consistent with the original policy intent;
- 8 **noted** that the Building (Dam Safety) Amendment Regulations 2023 will give effect to the decision referred to in paragraph 6 above;
- 9 **authorised** the submission to the Executive Council of the Building (Dam Safety) Amendment Regulations 2023 [PCO 25678/3.0];
- 10 **noted** that the Building (Dam Safety) Amendment Regulations 2023 come into force on 21 September 2023.

Rebecca Davies
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Dr Ayesha Verrall
Hon Andrew Little
Hon Kieran McAnulty
Hon Willow-Jean Prime
Hon Dr Duncan Webb
Hon Rachel Brooking
Hon Jo Luxton
Tangi Utikere, MP (Chief Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG