



## COVERSHEET

<b>Minister</b>	Hon Chris Penk	<b>Portfolio</b>	Building and Construction
<b>Title of Cabinet paper</b>	Building (Dam Safety) Amendment Regulations 2024	<b>Date to be published</b>	18 June 2024

<b>List of documents that have been proactively released</b>		
<b>Date</b>	<b>Title</b>	<b>Author</b>
May 2024	Building (Dam Safety) Amendment Regulations 2024	Office of the Minister for Building and Construction
2 May 2024	Building (Dam Safety) Amendment Regulations 2024 LEG-24-MIN-0065 Minute	Cabinet Office

### **Information redacted**

**YES / NO** *(please select)*

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# Cabinet Legislation Committee

## Minute of Decision

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### Building (Dam Safety) Amendment Regulations 2024

**Portfolio**                      **Building and Construction**

On 2 May 2024, the Cabinet Legislation Committee:

- 1        **noted** that in May 2022, the previous government approved the Building (Dam Safety) Regulations 2022 (the regulations) under the Building Act 2004 [LEG-22-MIN-0052], which will come into force on 13 May 2024;
- 2        **noted** that the regulations set the height and volume thresholds for a classifiable dam at:
  - 2.1      four or more metres high and store 20,000 or more cubic metres of volume of water, or other fluid; or
  - 2.2      one or more metres high and store 40,000 or more cubic metres volume of water, or other fluid;
- 3        **noted** that in March 2024, the Cabinet Expenditure and Regulatory Review Committee (EXP) agreed that the height and volume threshold for a classifiable dam be amended to a height of four or more metres and holds 20,000 or more cubic metres volume of water or other fluid [EXP-24-MIN-0007];
- 4        **noted** that the Building (Dam Safety) Amendment Regulations 2024 (the amendment regulations) will give effect to the decision referred to in paragraph 3 above;
- 5        **noted** that a waiver of the 28-day rule is sought:
  - 5.1      so that the amendment regulations come into force in alignment with the commencement of the dam safety framework on 13 May 2024;
  - 5.2      to avoid placing unnecessary requirements or obligations on owners of dams under the regulations who will then be exempt under the amendment regulations 2024;
- 6        **agreed** to waive the 28-day rule so that the amendment regulations come into force on 13 May 2024;

7 **authorised** the submission of the amendment regulations [PCO 26321/6.0] to the Executive Council.

Vivien Meek  
Committee Secretary

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**Present:**

Rt Hon Winston Peters  
Hon Chris Bishop (Chair)  
Hon Shane Jones  
Hon Dr Shane Reti  
Hon Simeon Brown  
Hon Judith Collins  
Hon Tama Potaka  
Hon Simon Watts  
Hon Nicole McKee  
Hon Shane Jones  
Hon Casey Costello  
Hon Chris Penk  
Hon Andrew Bayly  
Hon Andrew Hoggard  
Scott Simpson  
Todd Stevenson, MP  
Jamie Arbuckle, MP

**Officials present from:**

Office of the Prime Minister  
Officials Committee for LEG