



Department of
Building and Housing
Te Tari Kaupapa Whare

Dam Safety Scheme: Specification of dams to be classified Discussion Document

October 2010



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Introduction

1. The Department of Building and Housing (the Department) is seeking further comments on the proposals for defining which dams would be required to be classified under the Dam Safety Scheme (the Scheme).
2. In July 2010, the Department released the “Review of the Dam Safety Scheme Discussion Document, dated July 2010 (the “July 2010 discussion document”) for consultation. Following the review of the submissions the Department received in response (both written and from subsequent meetings with stakeholders), the Department has made changes to the proposals, some of which the Department considers warrant further consultation. These relate to recommendations 3 and 6 in the July 2010 discussion document.
3. In making a submission please note the Department has reviewed all submissions from the previous consultation. Submitters should limit themselves to any new points they may have, relevant to this narrow consultation.
4. Please also note the discussion document contains questions for the convenience of submitters and to give guidance on the matters the Department is most interested in. The questions are only intended as a guide to how to respond to the discussion document. Submitters are welcome to provide responses outside of the areas covered by the list of questions.
5. As the focus of this consultation is on a narrow aspect of the implementation of the Scheme the consultation time has been limited to two weeks. Please provide your comments on the discussion document to the Department by 5pm, Friday, 12 November 2010:
 - E-mail: robert.allen@dbh.govt.nz
 - Fax: 04 494 0290
 - Post: Robert Allen
Operational Policy and Regulatory Services
Sector Capability Branch
Department of Building and Housing
PO Box 10-729
Wellington
6. If you have any queries regarding this discussion document please contact Robert Allen (04 817 4817 or robert.allen@dbh.govt.nz).

Public release of submissions

7. The Department will treat all submissions as public information and release them on our website shortly after they have been received.
8. Where a submitter wishes to submit confidential information this information should be clearly identified in the submission, and both a public and confidential version of the submission provided to the Department. The submitter should also provide the grounds for withholding.
9. Respondents should note written comments provided to the Department in response to this discussion document will be among the information the Department holds which is subject to public release under the Official Information Act 1982. If the Department receives a request for this material the Department will be required to consider its release, in whole or in part, in terms of the criteria set out in the Official Information Act. The Official Information Act requires us to make the information available unless: (i) the Department considers there is good reason, pursuant to the Official Information Act, to withhold the information; and (ii) that good reason outweighs the desirability, in the public interest, of making the information available. The grounds for withholding information are set out in the Official Information Act.
10. The Department will carefully review any representations that you make in this regard in considering any Official Information Act requests that might be received relating to this material. You should note, however, that the decision on release rests with the Department. Any decision to withhold information is subject to appeal to the Ombudsman.

July 2010 Consultation

11. The Department's July 2010 discussion document proposed:
 - a. the definition of large dams under the Scheme be changed to dams with the capacity to hold a reservoir of 50,000m³ or more and to be at least eight metres high (recommendation 3); and
 - b. the body responsible for administering the Scheme (presently Regional Authorities) have the power to issue a notice requiring classification of any dam, regardless of whether the dam meets the large dam criteria. Any such notice would only be issued if there was a reason to believe the dam may put people at risk (recommendation 6).
12. The intention of these proposals was to reduce compliance costs by reducing the number of dams that would need to be classified, balanced against the risk some medium or high potential impact dams may not be classified.
13. The submissions the Department received in response to the July 2010 discussion document have caused us to rethink these proposals; in particular:
 - a. There was a near consensus that large dams (as presently defined by the Building Act 2004) below the proposed new threshold of a capacity to hold a reservoir of 50,000m³ or more and at least eight metres high can pose potential risks to downstream populations;
 - b. A substantial number of submissions identified location as a relevant factor (as well as height and capacity) for defining whether a dam may be a medium or high potential impact dam;
 - c. Regional Authorities raised concerns about the use of "and" in the large dam definition rather than "or"; and
 - d. There were concerns about the need to specify the grounds on which Regional Authorities could use their discretion to issue a notice requiring classification of a dam. There was particular concern the cost this responsibility could place on Regional Authorities could offset the benefits (lower compliance costs) of changing the definition of large dams.
14. A summary of the submissions relating to questions 1, 2, 3 and 11 in the July 2010 discussion document is contained in the Appendix.
15. The Department considers that the submissions raise valid points and that changes can be made to the Scheme to address these points and improve the efficiency of the Scheme (through better targeting of dams).

Revision of recommendation 3

Component of scheme	Large dams under the Scheme
Status quo	3 metres in depth and 20,000m ³ in volume
July 2010 proposal	8 metres in height and 50,000m ³ in volume
Revised October proposal	8 metres in height and 20,000m ³ in volume; OR 3 metres in depth and 50,000m ³ in volume; OR 3 metres in depth and 20,000m ³ in volume and within an area specified by a Regional Authority where more than 50 residential houses may be inundated by a natural flood or by an uncontrolled release of 20,000m ³ or more from any dam.

16. Recommendation 3 in the July 2010 discussion document was “That the definition of large dams under the Scheme be changed to dams with the capacity to hold a reservoir of 50,000m³ or more and to be at least eight metres high.” The recommendation was introduced to reduce compliance costs for dam owners having to classify their dams, many of which would be low potential impact dams.
17. There was a near consensus from submitters that large dams (as presently defined by the Building Act) below the proposed new threshold of a capacity to hold a reservoir of 50,000m³ or more and at least eight metres high can pose potential risks to downstream populations.
18. The Department has considered how the definition could be further revised to better target medium or high potential impact dams, while also achieving regulatory compliance cost savings by reducing the number of dams that would need to be classified. The changes relate to the use of “and” rather than “or” in the definition of large dams within the Scheme (with the Department proposing to shift to a hybrid of “and” and “or”) and the treatment of location, with the Department proposing to include any large dams under the existing Building Act definition close to built-up areas in the Scheme.

1. Use of “and” versus “or” in the definition of large dam

19. Several submissions raised the issue of use of “and” in the definition of large dam rather than “or”.¹
20. Beca Infrastructure cited the tests used in British Columbia, Quebec and US National Inventory of Dams (NID) which use height OR volume tests. British Columbia and Quebec have the following definitions:
 - Greater than 1m height and 1 million m³;
 - Greater than 2.5m height and 20,000 m³;

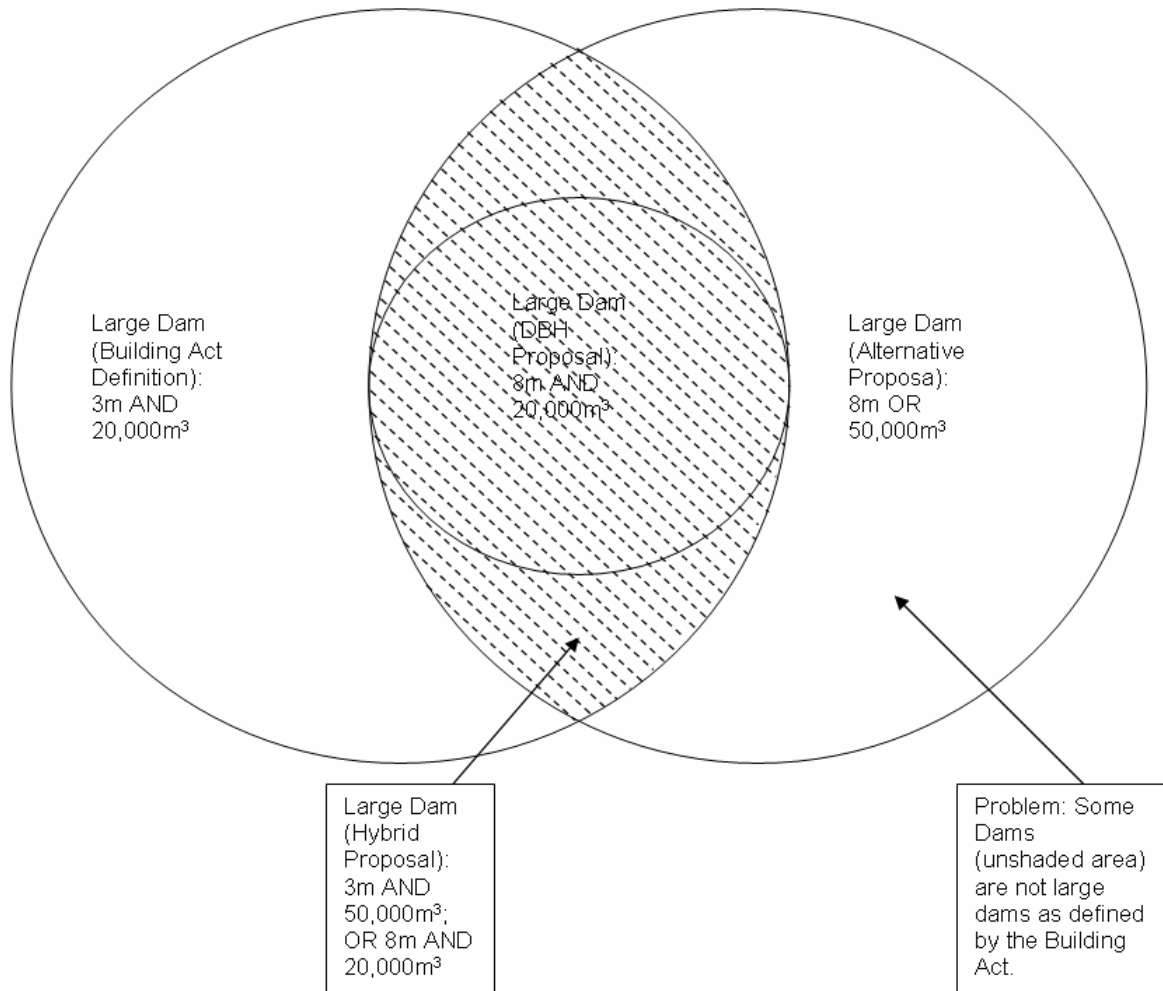
¹ Horizon Regional Council, Beca Infrastructure, Environment Waikato, Environment Southland, OPUS, Otago Regional Council.

- Greater than 7.5m.
21. The NID includes dams that:
 - Are high or significant hazard dams;
 - Are greater than 1.8m in height and 61,000 m³;
 - Are greater than 7.6m in height and 18,000 m³.
 22. In a similar vein, Otago Regional Council stated:

The conditional “and” in the definition should be noted, as it means that a dam 2.9m height and holding 80,000m³ (for example) does not require classification or a building consent, regardless of what the PIC might be. This aspect of the Act is being actively exploited by some owners in Otago and elsewhere ...
 23. Riley Consultants also make the observation:

Various combinations of height and volume outside the recommended threshold (8m, 50,000m³) can have a similar breach flow.
 24. The Department recognises a dam can be large and its size can create risk on account of either the volume of the dam or height e.g. a high volume dam with moderate height can create risks and vice versa. The Department does not favour simply changing from 8 metres in height and 50,000m³ in volume to 8 metres in height or 50,000m³ in volume as this would capture some dams the present large dam definition in the Building Act does not cover (see diagram below). This would thwart the attempts to reduce compliance costs.
 25. The Department believes a middle ground would be to include dams that are: (i) 3 metres and 50,000m³ in volume; OR (ii) 8 metres and 20,000m³ in volume in the Scheme (this is also depicted in the diagram below).

Diagram 1: Use of “and” or “or” in the definition of a large dam



2. Treatment of location in the definition of large dam

26. Another aspect of the definition of large dam that drew a lot of attention was the location of the dam. It was pointed out in many submissions that the likelihood of a dam being a medium or high potential impact dam depended on location as well as the actual size (defined by height and capacity).² A smaller dam above a residential area could give rise to greater risks than a larger dam in a remote area (where perhaps only the dam owner’s land would be impacted); for example:

The proposal change to the threshold is simplistic, and references only two criteria (height and capacity). While the height and capacity of a dam has a large influence on the potential risk to downstream populations, the location of the dam is also a critical variable.³

² Peter Foster, Waimakariri District Council, Robert Goldie, Greater Wellington Regional Council, Ashburton District Council, Riley Consultants, NZSOLD, Meridian, Beca Infrastructure, Environment Canterbury, Environment Waikato, Contact Energy, IPENZ, Trustpower, ARC, Irrigation New Zealand.

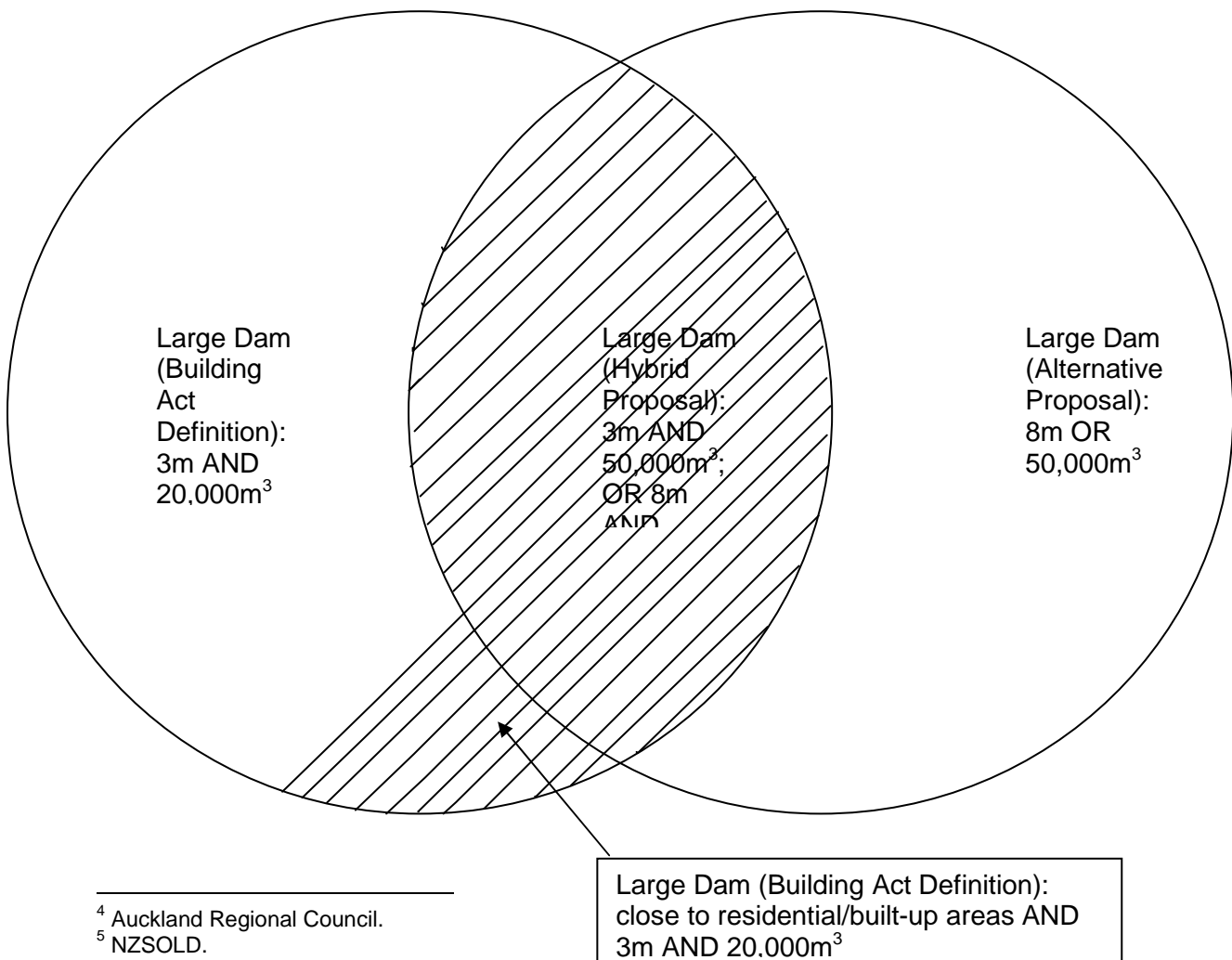
³ Environment Waikato.

It is considered that smaller dams can pose risks to downstream populations. This is largely dependent on their proximity to people and property.⁴

... a dam less than 8m high situated immediately upstream of a school could be considered to be hazardous.⁵

27. Two submissions suggested the concept of location be included in the definition of large dams.
28. Greater Wellington Regional Council suggested “dams less than (say) 1 km upstream of inhabited buildings.” Riley Consultants “... suggested a criteria of a lower threshold within, or close to, a residential or built-up area; as the location of a dam relative to built-up areas is often more important than the size of the dam (in terms of consequence of failure).” Riley Consultants went on to suggest an additional test of “Height 4m, volume 20,000cm within residential areas or within 1km of residential areas.”
29. The Department has sympathy for these submissions and proposes to include a locational factor in the definition of large dams under the Scheme. This is depicted in the diagram below.

Diagram 2: Use of a locational factor in the definition of a large dam



⁴ Auckland Regional Council.

⁵ NZSOLD.

30. The Department proposes to change the definition of large dams covered by the Scheme by introducing a new concept of “classifiable dams”. The Department proposes classifiable dams be a subset of large dams that are: (i) higher than 8m; or (ii) have a greater capacity than 50,000m³; or (iii) are close to built-up areas. The specific drafting proposals are contained in the table below.

Proposed Building Act amendments	Explanation
Large dam means a means a dam that is 3 or more metres in height, and holds 20 000 or more cubic metres volume, of water or other fluid.	As per recommendation 5 from the July 2010 discussion document. ⁶
Dam height is defined as the vertical distance from the top of the dam measured: a. from the natural bed of the stream at the lowest downstream outside limit of the dam for dams across a stream; b. from the lowest elevation at the outside limit of the dam for dams not across a stream.	As per recommendation 8 from the July 2010 discussion document. ⁷
classifiable dam means a large dam that: (i) is within a designated area ; or (ii) is 8 or more metres in height; or (iii) holds 50 000 or more cubic metres volume of water or other fluid.	A new dam definition is needed (rather than changing the definition of large dam) because the large dam definition is used in the Building Act for more purposes than dam safety (in subpart 7 of part 2), as per recommendation 4 in the July 2010 discussion document. ⁸ The proposed definition of classifiable dam (subpart (i)) addresses a concern expressed in a large number of submissions that a dam can give rise to safety concerns because of location (not just size). The proposed definition (subparts (ii) and (iii)) recognises that a dam may be large (and give rise to safety concerns) because of its height OR capacity. ⁹ This is consistent with the approach in other jurisdictions.

⁶ Please note the Department has not made final decisions about whether to measure dams by height or depth, and this matter is not part of the current consultation.

⁷ Please note the Department has not made final decisions about whether to measure dams by height or depth, and this matter is not part of the current consultation.

⁸ There was general recognition of this point in submissions.

⁹ For the avoidance of doubt, the reference to “large dam” means the test in (ii) is 8 metres or more in height AND 20,000 or more cubic metres volume, and the test in (iii) is 3 metres or more in height AND 50,000 or more cubic metres volume.

Proposed Building Act amendments	Explanation
Designated area means an area specified by a regional authority where more than 50 residential houses may be inundated by a natural flood or by an uncontrolled release of 20,000 or more cubic metres from any dam.	Needed to address the locational aspect of the definition of a “classifiable dam”.

- Question 1. Does the proposed definition of “classifiable dam” appropriately balance the compliance costs to dam owners of classification with the risk some medium or large potential impact dams may not be classified?*
- Question 2. If the answer to Question 1 is no, do you consider the proposed definition to be too narrow or too wide?*
- Question 3. If the answer to Question 1 is no, what alternative definition of “classifiable dam” would you propose?*
- Question 4. Do you agree with the inclusion of location in the proposed definition of “classifiable dam”?*
- Question 5. Is there an alternative way of specifying location in the proposed definition of “classifiable dam” that would better capture dams close to residential or built-up areas? If so, what alternative would you propose?*

Revision of recommendation 6

Component of scheme	Regional Authority discretion to require classification
Status quo	Not applicable
July 2010 proposal	Regional Authorities have the power to issue a notice requiring classification of any dam, regardless of whether the dam meets the criteria. Any such notice will only be issued if there is reason to believe the dam may put people at risk.
Revised October proposal	<p>A Regional Authority may investigate whether to refer a dam for classification where: (i) a complaint has been made by a member of the public about the safety of the dam; or (ii) the Regional Authority has other reasonable grounds for believing there is a material risk that the dam may warrant a medium or high potential impact classification.</p> <p>A Regional Authority would then be able to refer the dam for classification where, on the basis of the investigation, the Regional Authority has reasonable grounds for believing that the referable dam may warrant a medium or high potential impact classification.</p>

31. Recommendation 6 in the July 2010 discussion document was “That the body responsible for administering the Scheme has the power to issue a notice requiring classification of any dam, regardless of whether the dam meets the criteria. Any such notice will only be issued if there is reason to believe the dam may put people at risk.”
32. This recommendation was introduced as a way of reducing the risk that raising the quantitative threshold for large dams in the Scheme would result in some medium or high potential impact dams not being classified.
33. Some concerns were expressed by submitters that while Recommendation 3 would lower compliance costs for dam owners this could be offset by the cost of administering the Recommendation 6 Regional Authority referral system; for example:

It may lower the cost of compliance to the applicant but the cost to Councils will increase.¹⁰

It is unclear ... if this reduction [in compliance costs for dams] is significant in comparison to the total compliance costs currently applicable, or if these costs would not then be offset by a Regional Authorities [sic] use of Resource Consent conditions to impose DS requirements on an owner of a dam not covered by the DS scheme.¹¹

It appears to be acknowledging that there are, or will be, dams that fall outside the proposed thresholds and dam safety scheme, that will have a medium or high potential impact. For these dams the liability for ensuring dam safety could be seen to transfer from the dam owner ... to the Regional Authority ... It is likely that Regional Authorities will err on the cautious side in this situation which may not result in the reduction in compliance costs that is being sought. Rather it may lead to regional differences based upon individual regional authority's appetite for risk.¹²

¹⁰ Ashburton District Council.

¹¹ Meridian.

¹² Environment Canterbury.

The power to issue a notice is not supported by regional councils as it places the onus on the responsible authority ... to identify those dams that must be added back into the scheme. That would be contrary to the principle that dam owners rather than the regulator identify whether their dams fall within the thresholds of the scheme. The Department's proposal would lead to litigation and further cost ...¹³

Liability issues are also likely to arise if one of these dams did collapse. Questions would be asked as to why the responsible body did not require it to be classified.¹⁴

34. It is not, and was not, the intention of the Department to impose an undue cost or burden on Regional Authorities in the application of Recommendation 6. The Department believes some of the concerns expressed about Recommendation 6 reflect the lack of specificity about how it would be required to be operated in practice:

One area that does not appear to have been fully considered in the Review is how the administrators of the Scheme will go about identifying dams which are smaller than the proposed height/volume definition but that should still be covered by the Scheme. If the administrators believe that they will be taking on a liability for identifying small dams that should be covered by the Scheme then they may believe that they have to carry out full reviews of all dams less than the proposed height/volume definition. If this is the case then the Scheme as proposed in the recommendation will have significant costs that have not yet been identified.¹⁵

The mechanics of how the administering body identifies a small dam posing sufficient risk to be captured by the classification system should be established before the Regulations come into effect.¹⁶

... I have some concerns over the actual implementation of this idea. For example, how would an authority decide which dams to issue this notice to? Should they review all dams in their region or wait for someone to complain about a dam ... This clause will need to be very carefully worded to spell out responsibilities.¹⁷

One area that does not appear to have been fully considered in the Review is how the administrators of the Scheme will go about identifying dams which are smaller than the proposed height/volume definition but that should still be covered by the Scheme.¹⁸

How would it be determined whether classification is required? A clear set of criteria would be required in order to make this workable. For example, criteria involving dam size and proximity to inhabited buildings.¹⁹

35. The Department agrees there would need to be clear guidance around when a Regional Authority could use its discretion to investigate whether a dam owner should classify their dam, and whether it should then require the owner to do so. The Department also believes this discretion should be tightly limited so as to avoid imposing undue costs or responsibilities on Regional Authorities.
36. The Department proposes to change the definition of large dams covered by the Scheme by introducing a new concept of "referable dams" (dams that are large dams

¹³ Otago Regional Council ("represent the combined Regional Council sector view of the current situation" (7 September 2010, letter).

¹⁴ Greater Wellington Regional Council.

¹⁵ NZSOLD.

¹⁶ NZSOLD.

¹⁷ Beca Infrastructure.

¹⁸ Contact Energy.

¹⁹ Auckland Regional Council.

but not classifiable dams). The Department proposes Regional Authorities be given discretion to investigate whether to refer these dams for classification where a complaint has been made about the safety of the dam or the Authority has reasonable grounds for believing there is a material risk the dam may warrant a medium potential impact or high potential impact classification. The specific drafting proposals are contained in the table below.

Proposed Building Act amendments	Explanation
referable dam means a large dam that is not a classifiable dam .	New dam definition to provide Regional Authorities with discretion over whether other large dams should be captured by subpart 7 of part 2 of the Building Act.
Various changes will be needed to subpart 7 of part 2 to narrow the application to classifiable dams or referable dams that a Regional Authority has required to be classified.	The reference to dams in subpart 7 of part 2 applies to all large dams and needs to be narrowed to reflect the more limited concepts of classifiable and referable dams (both subsets of large dams).
<p>133B When a referable dam may be referred for classification</p> <p>(1) A regional authority may investigate whether to refer a referable dam for classification where:</p> <ul style="list-style-type: none"> (i) a complaint has been made by a member of the public about the safety of the dam; or (ii) the regional authority has other reasonable grounds for believing there is a material risk that the dam may warrant a medium potential impact or high potential impact classification. <p>(2) A regional authority may refer a referable dam for classification where, on the basis of the investigation undertaken in accordance with section (1), the regional authority has reasonable grounds for believing that the referable dam may warrant a medium potential impact or high potential impact classification.</p>	<p>If Regional Authorities are given discretion as to whether large dams (that are not “classifiable dams”) should be required to be classified (as per subpart 7 of the Building Act) boundaries should be placed around this discretion to avoid the risks of Regional Authorities:</p> <ul style="list-style-type: none"> (i) requiring all dams to be classified; and/or (ii) undertaking investigations into dams that are sufficiently extensive that the benefits (reduced compliance costs) of narrowing the range of “classifiable dams” are lost.

Question 6. Do you agree with the proposed definition of “referable dam”? If not, what alternative definition of “referable dam” would you propose?

Question 7. Do you agree with the proposed grounds for a Regional Authority to investigate whether to refer a referable dam for classification? What would be appropriate grounds?

Question 8. Do you agree with the proposed grounds for a Regional Authority to require a dam owner with a referable dam to classify their dam? What would be appropriate grounds?



Concluding remarks and next steps

37. The Department has given further consideration to the balance between reducing the number of large dams covered by the Scheme and the risk some medium or high potential impact dams may be omitted from the Scheme.
38. This is in response to submissions which clearly expressed the views that:
- Large dams below 8 metres in height and 50,000m³ in volume can pose potential risks to downstream populations;
 - The location of the large dam is a relevant factor (as well as height and capacity) for defining whether a dam may be a medium or high potential impact dam;
 - A dam could be “large” because of its height OR capacity;
 - The extent of the Regional Authorities’ discretion to require classification needs to be clearly specified, otherwise there is a risk the costs this responsibility could place on Regional Authorities could offset the benefits (lower compliance costs) of changing the definition of large dams.
39. The Department now proposes to effectively widen – in a targeted fashion – the large dams which are automatically included in the Scheme, compared to the July 2010 discussion document proposals. The large dams that are covered would still be considerably narrower than presently defined in the Building Act. The Department also now proposes to put clear boundaries and limits around Regional Authority discretion to require other large dams to be classified.
40. The revisions to the Department’s proposals are summarised in the table below.

Component of scheme	Large dams under the Scheme	Regional Authority discretion to require classification
Status quo	3 metres in depth and 20,000m ³ in volume	Not applicable
July 2010 proposal	8 metres in height and 50,000m ³ in volume	Regional Authorities have the power to issue a notice requiring classification of any dam, regardless of whether the dam meets the criteria. Any such notice will only be issued if there is reason to believe the dam may put people at risk.
Revised October proposal	8 metres in height and 20,000m ³ in volume; OR 3 metres in depth and 50,000m ³ in volume; OR 3 metres in depth and 20,000m ³ in volume and within an area specified by a Regional Authority where more than 50 residential houses may be inundated by a natural flood or by an uncontrolled release of 20,000m ³ or more of water and fluids from any dam.	A Regional Authority may investigate whether to refer a dam for classification where: (i) a complaint has been made by a member of the public about the safety of the dam; or (ii) the Regional Authority has other reasonable grounds for believing there is a material risk that the dam may warrant a medium or high potential impact classification. A Regional Authority would then be able to refer the dam for classification where, on the basis of the investigation, the Regional Authority has reasonable

		grounds for believing that the referable dam may warrant a medium or high potential impact classification.
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41. The timeline for consultation and legislation development is outlined below:

Indicative timeline for Dams Safety Scheme legislative development				
October 2010	5 November 2010	From late 2010	Late 2011	Late 2011/early 2012
Release of supplementary discussion document	Submissions close	Parliamentary process	Act and Regulations amended	Guidance developed and released

Appendix: Summary of submissions

Question or issue	Submission	
	Yes	No
1. Do Dams smaller than proposed threshold (capacity of 50,000m ³ or more and eight metres high) pose potential risks to downstream populations?	Peter Foster, Mighty River Power (“it is possible”), Bay of Plenty Energy (“potential”), Robert Goldie, Ashburton District Council, Environment Bay of Plenty, Riley Consultants (“in certain circumstances”), Horizon Regional Council, NZSOLD, Meridian, Beca Infrastructure, Environment Canterbury, Contact Energy, IPENZ, OPUS, ARC, Otago Regional Council (supported by Environment Southland ²⁰), Pioneer Generation Ltd, Watercare, Irrigation New Zealand, Hawkes Bay Regional Council	Waimakariri District Council
Location cited as a relevant factor	Peter Foster, Waimakariri District Council, Robert Goldie, Greater Wellington Regional Council, Ashburton District Council, Riley Consultants, NZSOLD, Meridian, Beca Infrastructure, Environment Canterbury, Environment Waikato, Contact Energy, IPENZ, Trustpower, ARC, Irrigation New Zealand	
2. Should the size of dams covered by the Scheme be increased in line with the recommendations?	Marlborough, Peter Foster, Waimakariri District Council, Mighty River Power, Bay of Plenty Energy, Greater Wellington Regional Council, Environment Bay of Plenty, Riley Consultants, Horizon Regional Council, NZSOLD, Genesis Energy, Environment Canterbury, Western Bay of Plenty, Contact Energy, Trustpower, Pioneer Generation Ltd, Watercare (qualified), Federated Farmers, Hawkes Bay Regional Council (qualified)	Ashburton District Council, Meridian, Environment Waikato, OPUS, Otago Regional Council (supported by Environment Southland ²¹)
Cited preference for “or” test rather than “and” in the large dam definition	Horizon Regional Council, Beca Infrastructure, Environment Waikato, Environment Southland, OPUS, Otago	

²⁰ Also “represent the combined Regional Council sector view of the current situation” (7 September 2010, letter).

²¹ Also “represent the combined Regional Council sector view of the current situation” (7 September 2010, letter).

Question or issue	Submission	
	Yes	No
	Regional Council (supported by Environment Southland ²²)	
3. Would an increase in the size of dams covered by the Scheme lower the compliance costs?	Peter Foster, Waimakariri District Council, Mighty River Power, Bay of Plenty Energy, Robert Goldie, Greater Wellington Regional Council, Environment Bay of Plenty, Riley Consultants, Horizon Regional Council, NZSOLD, Genesis Energy, Beca Infrastructure, Environment Canterbury, Western Bay of Plenty, Environment Waikato, Contact Energy, IPENZ, OPUS, Trustpower, ARC, Pioneer Generation Ltd, Federated Farmers, Hawkes Bay Regional Council	Marlborough, Ashburton District Council, Otago Regional Council (supported by Environment Southland)
11. Should a region authority be able to issue a notice requiring classification of any dam, regardless of whether the dam meets the relevant criteria?	Marlborough, Peter Foster, Waimakariri District Council, Mighty River Power, Bay of Plenty Energy, Robert Goldie, Greater Wellington Regional Council, Ashburton District Council, Environment Bay of Plenty, Riley Consultants, Horizon Regional Council, NZSOLD, Genesis Energy, Meridian, Beca Infrastructure, Environment Canterbury, Western Bay of Plenty, Environment Waikato, Contact Energy, IPENZ, OPUS, Trustpower, Pioneer Generation Ltd, Watercare, Federated Farmers, Hawkes Bay Regional Council	Otago Regional Council (supported by Environment Southland ²³)

²² Also supported by "The majority of regional councils ..." (7 September 2010, letter).

²³ Also "represent the combined Regional Council sector view of the current situation" (7 September 2010, letter).

Note: Apparent contradiction with some Regional Councils submitting an alternative view.

Published in October 2010 by
Department of Building and Housing
PO Box 10-729
Wellington, New Zealand

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