

Summary of Submissions on the Dangerous Dam Policy

12 November – 15 December 2023

Name	Organisation	Contact details	Wish to present	Summary
Tom Pinckney	Northburn Limited	[REDACTED]	Yes	Related directly to Dam Safety Regulations. Provision in regulations for older dams with no history of failure to be exempt and for dams that would not damage neighbouring properties to be exempt.
Helen Dempster	New Zealand Transport Agency	[REDACTED]	Yes	<p>NZTA provides a lifeline utility as it is the entity that provides the State Highway road network. Dangerous dams, earthquake-prone and flood-prone dams could present a risk to the safe and efficient functioning of the State Highway road network and other lifeline utilities.</p> <p>NZTA requests that the proposed policy be amended to also include direct notification of lifeline utility providers where their assets could be impacted directly or indirectly by a dam.</p>
Dawn Sangster	GlenAyr Limited	[REDACTED]	No	<p>Seeks a change to the definition of a classifiable dam as it captures too many small ponds and dams.</p> <p>Various refinements in the regulations sought.</p> <p>Acknowledges that is seeking changes to be made that ORC may not be able to accept, in the change that the Regulations may be amended in the future.</p> <p>Notes the policy lacks clarity around timing, particularly the date in which a dam must be inspected to determine whether it is 'dangerous'. Would be good to know what ORC's expectations are.</p> <p>The use of the wording 'timely manner' could create uncertainty and stress to dam owners, especially when engineer availability may be a factor.</p> <p>Recommends amending the timing requirements for dam owners to consents held.</p> <p>Notes that policy has no scope to allow farmers to adopt cheaper measures or alternatives to engineer reports.</p>

				Disappointed there is no attempt to target dams that are high risk to that resources can be appropriately allocated.
Shona Walter	Port Blakely Limited		Yes	<p>Opposes the policy.</p> <p>Submitter owns and manages land in Otago that the Phoenix Dam is located on. Dam is considered to be a flood-prone heritage dam. ORC and CDC recently directed submitter to undertake emergency works to mitigate likely adverse effects on the failure of the embankment.</p> <p>Submitter seeks:</p> <ul style="list-style-type: none"> ○ Amendment to Section 3, para 3 to include an obligation for ORC to provide any technical reports in their possession which provide details about the state of a dangerous, earth-quake prone or flood-prone dam. ○ Amend Section 4 subsection 4.1 para 1 to require ORC to supply information about all dams on their register to RLA and for the TLA to include information about any dam on the relevant LIM report. ○ Amend Section 4 subsection 4.3 to require ORC to regularly update public about an emergency situation concerning a dangerous, earthquake-prone or flood-prone dam and to provide a 24 hour phone for members of the public to call in the event of an emergency.
Gerard Flannery			Not stated	<p>Related directly to Dam Safety Regulations Classifiable dams should be larger in size.</p> <p>Approach that could be considered would be a standard design contractors must use to construct dams of a larger size.</p> <p>Concern with cost to farmers for engineer reports on dams.</p>
Jeremy Anderson			No	<p>Representative of a dairy farming company in the Maniototo.</p> <p>Acknowledges that is seeking changes to be made that ORC may not be able to accept, in the change that the Regulations may be amended in the future.</p> <p>Seeks a change to the definition of a classifiable dam as it captures too many small ponds and dams. Discussed with dam engineers who see a resource problem.</p> <p>Consideration of a simpler risk assessment model for dams below a certain height or storage capacity.</p>

				<p>Various refinements in the regulations sought.</p> <p>Landowners prefer defined dates and timeframes rather than 'in a timely manner'. Could align with consents held meaning low risk dams are inspected at a later date.</p> <p>Policy has no scope to allow farmers to adopt cheaper measures or alternatives to engineer reports. Alternatives provided in submission.</p> <p>Disappointed there is no attempt to target dams that are high risk to that resources can be appropriately allocated.</p>
Jeremy Anderson	Maniototo Irrigation Company		No	Same as submission above
Bruce Smith	Eden Leith Partnership		No	<p>Query around whether the regulations apply to two barriers near State Highway 8.</p> <p>Highlighted that irrigation dams are regularly monitored by landowners particularly in times of drought.</p>
Fran Davies	Heritage New Zealand		No	<p>Generally supportive of the recognition of heritage values and commitments where the dam is a heritage dam.</p> <p>Recommends inclusion of advice note to advise there may be additional obligations to comply with. Provided proposed wording changes to paragraph 3 and the addition of an advice note.</p> <p>Recommended a number of dams that are not captured under the definition of heritage dams have an archaeological assessment be carried out.</p>
Murray Heckler	Falls Dam Company Limited		Yes	FDC supports the principles and Council's priorities however notes the time needed to gather the required information. FDC considers that similar wording to that in the 2011 Dangerous Dam Policy should be included in current policy.
James Russell	Last Chance Irrigation Company		Yes	LCIC supports the principles and Council's priorities however notes the time needed to gather the required information. LCIC considers that similar wording to that in the 2011 Dangerous Dam Policy should be included in current policy.

Tony Jack	Pioneer Energy Limited	[REDACTED]	Not stated	Own dams that are likely to be medium or high PIC under new regulations. Request that authorities take a collaborative approach with owners should any safety issues arise. PEL supports adoption of a consistent policy for all regional authorities throughout NZ. PEL supports the principles and Council's priorities however notes the time needed to gather the required information. PEL considers that similar wording to that in the 2011 Dangerous Dam Policy should be included in current policy.
Luke Kane and Myfanwy Alexander	Federated Farmers of New Zealand – Otago Province	[REDACTED]	Yes	Supports the revised policies requirement for dam owners to make an initial assessment. Concerned about the costs associated with engineering assessment for low PIC dams. Notes concerns around lack of qualified and competent engineers. Notes benefit in establishing a review mechanism for decisions where the Chief Executive is empowered to initiate necessary actions to remove the danger. Suggests medium PIC dams have a longer period between reviews than high PIC dams.