

# Utilities (Dam Safety Code) Determination 2014

Disallowable instrument DI2014–292

made under the

*Utilities Act 2000*, section 65 (application of industry code provisions)

## EXPLANATORY STATEMENT

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### Purpose of the Code

The purpose of the Dam Safety Code (the Code) is to identify and regulate the safety of dams with the potential for a failure which could have a significant adverse effect on the community.

### Legislative Provisions

The Code is a technical code under part 5 of the *Utilities Act 2000* (the Act). The Act provides a regulatory framework for utility licence holders in the Australian Capital Territory. Part 5 of the Act is technical regulation. In section 65 of the Act, provisions for making technical codes apply provisions for making industry codes in part 4 of the Act with relevant variations.

### Determination

This Disallowable Instrument determines the Utilities (Dam Safety Code) Determination 2014. It also repeals the Dam Safety Code (March 2003), as amended September 2008.

### Outline

Two significant features of this amendment of the Dam Safety Code are:

1. Alignment with the current NSW Dams Safety Committee (DSC) Guidance Sheets, including the comprehensive revision of the DSC Guidance Sheets undertaken in 2010, and;
2. Clarification that the DSC Guidance Sheets take precedence over the Australian National Committee on Large Dams (ANCOLD) Guidelines.

Alignment with NSW practice is important to eliminate differences in cross border interpretations. There are dams in each jurisdiction for which the outcomes of incidents can impact the population in the other jurisdiction.

### Consultation

The Minister held consultations with ICRC and the utility in accordance with section 65 of the Act. Comments by ICRC and the utility were discussed and incorporated into the Code, as appropriate.