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Committee Secretariat
Health Committee
Parliament Buildings
Wellington

By email: he@parliament.govt.nz

Submission of Water New Zealand on Health (Drinking Water) Amendment Bill

1. Water New Zealand (Water NZ) is a national not-for-profit sector organisation comprising approximately 1500 corporate and individual members in New Zealand and overseas. Water NZ is the principal voice for the water sector, focusing on the sustainable management and promotion of the water environment and encompassing the three waters: drinking water, waste and storm waters.
2. Water NZ supports the Health (Drinking Water) Amendment Bill and is grateful for the opportunity to provide feedback from the perspective of the water sector. This submission:
 - a. Proposes additional changes to the Health Act, 1956; and
 - b. Notes clauses of the bill that are supported.

Proposed new clause - repeal of section 69V(2) and 69V(3)

3. Section 69V of the Health Act states:

Duty to take all practicable steps to comply with drinking-water standards

(1) Every drinking-water supplier must take all practicable steps to ensure that the drinking water supplied by that supplier complies with the drinking-water standards.

(2) A drinking-water supplier complies with subsection (1) if the supplier implements those provisions of the supplier's approved water safety plan relating to the drinking-water standards.

(3) Subsection (2) does not limit the ways in which a drinking-water supplier is able to comply with subsection (1).

(4) Subsection (1) applies to each drinking-water supplier subject to any exemption or variation that has been granted to that supplier under section 69ZZD(2)(k).

(5) Subsection (1) does not apply to those drinking-water standards that are identified in those standards as guideline values for aesthetic determinands for avoiding adverse aesthetic effects in drinking water.

4. Subsections 69V(2) and 69V(3) allows a water supplier that does not comply with the drinking water standards as per s 69V(1), to meet that requirement if they have prepared and implemented a water safety plan.
5. In Water NZ's submission, these clauses are wholly inappropriate. Either a water supplier complies with the drinking water standards or it does not. Preparing a water safety plan should not remove the requirement to also comply with the drinking water standards. Compliance should be mandatory and the repeal of sections 69V (2) and (3) would resolve this.

Amendments to sections 69P and 69R

6. The present form of sections 69P and 69R means that in effect the minimum timeframe to amend the Drinking Water Standards is 5 years. The difficulty with this is that it does not allow the Standards to be responsive to changes in technology and industry best practice. Technology and practices are moving apace in this area and allowing regulations to keep up with such changes is essential.
7. The proposed amendments to s 69P to remove the requirement for at least 3 years of consultation before new standards or amendments can be made to the Drinking Water Standards is supported. Section 69P, as amended, will ensure that adequate consultation on any proposed changes occurs. The amendment to s 69R allowing new or amended standards to commence within 28 days of publication in the *Gazette* is entirely appropriate and supported.

Repeal of section 69U(4)

8. The repeal of this list of examples of what can constitute reasonable steps to contribute to the protection of source of drinking water is supported. Practice has shown that in some cases this list is treated as an exhaustive list of steps that may be required of drinking water suppliers where in fact more is often necessary.

Amendments to section 69Z

9. These amendments strengthen and clarify the water suppliers' duty to comply with their water safety plan and are supported.