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**PĀNUI PĀPĀHO
MEDIA STATEMENT**

Dedicated watchdog for water quality

All New Zealanders expect their drinking water to be safe and now the Government has approved a dedicated watchdog and new water regulations to ensure this happens. The new regulations will also help clean up New Zealand's wastewater and stormwater systems.

"The Government has reached a critical milestone in drinking water safety and protecting the environment by moving to overhaul this country's water regulations," says Local Government Minister Nanaia Mahuta, who is leading the Three Waters Review alongside Minister of Health David Clark and Minister for the Environment David Parker.

David Clark, who has spearheaded the Government's response to the Havelock North Campylobacter outbreak in 2016 where 5,000 people got sick from their drinking water, says public safety is a non-negotiable priority.

"Access to safe, clean drinking water is a birth-right for New Zealanders and a key concern for communities up and down the country. Wherever they live, consumers and communities expect to be able to turn on the tap and drink the water without fear of getting ill.

"Immediately following the Havelock North Inquiry Stage 2 Report we began implementing its recommendations to increase public safety while the Three Waters review worked through the longer-term programme of reform options.

"In line with one of the Inquiry's key recommendations, Cabinet has now agreed to establish a dedicated water regulator who will ensure New Zealanders can have confidence their drinking water is demonstrably safe," says Dr Clark.

Nanaia Mahuta says clean water quality is a fundamental requirement for New Zealanders' wellbeing, and as such is a priority for the Government.

"For too long, oversight of water has been split between a number of agencies and legislation, and as a result, responsibility has been fractured and ineffective.

“That’s not giving people the solutions they need to trust their water supplies. Today’s proposals, featuring the new regulator and regulations, will ensure coherent, safe drinking water supplies with additional oversight of wastewater and stormwater services,” says Nanaia Mahuta.

Key features from today’s announcement include:

- a dedicated water regulator
- a new Water Services Bill
- extending regulatory coverage to all water suppliers, except individual household self-suppliers
- strengthened Government stewardship of wastewater and stormwater services, with Regional Councils remaining primary regulators for the environment
- transitional arrangements of up to five years to allow water suppliers to adjust to the regulations, if necessary with support from the new regulator.

“Today’s announcement means that the new water regulator will have the final say on safe drinking water,” says Dr Clark.

The final form, scope and location of the regulator will be the subject of advice due with Cabinet later in the year.

Further information is available here: <http://www.dia.govt.nz/Three-Waters-Review>

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Three Waters Review Questions & Answers

General

Q: Why is there a Three Waters Review?

A: The outbreak of gastroenteritis in Havelock North in August 2016 was a catalyst for action. More than 5000 people were estimated to have fallen ill as a result, with four deaths and many with ongoing conditions associated with the outbreak.

The Three Waters Review, commissioned by the Government in mid-2017, has found similar issues across the drinking water, wastewater and stormwater systems as those highlighted by the Havelock North Drinking Water Inquiry.

Q: What problems is it trying to solve?

A: The systemic failure of water suppliers to meet the standards required to ensure the safe supply of drinking water to New Zealanders is highlighted by the fact that an estimated 34,000 people across the country become ill from their drinking water every year. Many thousands must boil their water to drink it safely.

There are also broader questions about the capability and sustainability of water service providers, including affordability of infrastructure and funding pressures. The costs associated with upgrading drinking water infrastructure to meet the drinking water standards, for example, may be unaffordable for many of our smaller communities, towns, marae and provincial areas. The review will provide advice on potential options to address this towards the end of the year.

Q: What engagement and consultation has it carried out?

A: Addressing the regulatory deficiencies has been the initial priority of the Three Waters Review. To test and refine the regulatory proposals, officials undertook a series of targeted engagement activities. This included nine regional workshops between March and May 2019, territorial authority and regional council reference groups, iwi/Māori and numerous other stakeholder engagements.

The regulator

Q: Why do we need a new regulator?

A: As recommended by the Havelock North Drinking Water Inquiry, an independent, centrally located drinking water regulator is necessary to oversee the entire drinking water system. In addition, stronger national oversight of wastewater and stormwater is also needed to ensure the systems are meeting appropriate standards.

Q: What will it do?

A: The regulator will have a range of responsibilities and functions, including sector leadership; standards setting; compliance, monitoring and enforcement; capability building; information, advice and education; and performance reporting.

Q: Will the new regulator be for drinking water only or for wastewater and stormwater, as well, and will it be part of an existing department or a new and separate entity?

A: The scope, roles and institutional form of the regulator – including whether to include regulation of all three waters within a single regulator, or separate entities – will be the subject of further Cabinet consideration later in the year.

Q: When will a new regulator come into being?

A: A regulator will require new legislation to establish. Legislative changes will be included in a Water Services Bill, which the Government is hoping to introduce before the end of the year, for possible enactment in mid-2020.

Water Services Bill

Q: Why is a new Water Services Bill necessary?

A: Legislation covering water safety and quality is currently fragmented. A new bill will provide coherence and the necessary legislative framework for the reforms.

Q: In general terms what will it cover?

A: The Bill will implement the suite of system-wide reforms to the regulation of drinking water and source water, and some aspects of wastewater and stormwater.

Q: Will there be an opportunity for feedback on the Bill?

A: The usual opportunities for formal representations to select committee will apply.

Q: When will it come into force?

A: The aim is to introduce the Bill by the end of the year, with possible enactment by mid-2020. The regulatory reforms will be phased in, allowing time for water providers to adjust to the new standards.

Costs

Q: Will these new regulations add to the costs faced by local authorities?

A: It is acknowledged that it may be challenging for some suppliers to comply with their obligations, and this will be managed by allowing for assistance and time to achieve compliance. In late 2019, Cabinet will consider advice on addressing the wider funding and capability issues associated with water service delivery, including cost implications associated with the regulatory reform proposals, and how we might address them.

New drinking water regulations

Q: How will the new regulations make drinking water safer?

A: Extension of the drinking water standards to include all but single household self-suppliers, and a multi-barrier approach to water safety, will ensure much greater safety for everyone.

Q: Why is the “secure bore status” no longer going to be sufficient to demonstrate safety of a drinking water supply?

A: Having a secure bore does not prevent contamination that may occur in the pipes between the bore and the household consumer.

Q: The public health system has extensive expertise in assessing and managing water safety. How will this be used within the new regulatory regime?

A: One of the consistent findings of the Three Waters Review is the capacity constraints across the system throughout the country. With higher regulatory standards we envisage a significant investment in the expertise required to deliver the public assurance of drinking water safety.

Wastewater and stormwater

Q: Are there going to be minimum standards for wastewater discharges?

A: Targeted reforms to improve the environmental performance of our wastewater system will include a new national environmental standard for wastewater discharges and overflows. This will be progressed alongside the Ministry for the Environment’s Essential Freshwater programme.

Q: Are there going to be minimum standards for stormwater discharges?

As relatively little data exists about how stormwater systems impact our environment, we are not looking at setting standards right now. Instead we will focus first on collecting information on performance and promoting best practice.

Q: Will this new regime stop sewage ending up on our beaches and in our rivers and lakes?

A: That is our goal. Wherever they live, Kiwi ratepayers and communities expect to be able to swim in our rivers and lakes and enjoy beaches free from the worry of getting sick from raw sewage seepage. We want to protect our freshwater and marine environments, and one way

of doing that is to lift the environmental performance of our wastewater and stormwater systems.

Q: Will there be penalties for breaching standards and if so who will enforce them?

A: Regional councils will continue to play their role in the consenting of wastewater and stormwater discharges under the RMA, including compliance, monitoring and enforcement on consent conditions. However, there will be stronger central oversight of wastewater and stormwater regulation.

Iwi/Māori

Q: How long will small suppliers have to transition to the proposed new regime?

A: Further work is needed to determine the most practicable approach to bringing suppliers not currently covered into the regulatory system, particularly very small suppliers. It is expected that the regulator would work with marae and papakāinga that are supplying drinking water and to transition them into the regulatory system within five years following enactment of the new Water Services Bill.

Q: What consultation has been done with Iwi/Māori over this?

A: The proposed regulations were tested and informed by targeted consultation with iwi/Māori. Nine workshops across the country were held, which iwi representatives were invited to. In addition, the proposals were tested with a number of additional iwi/Māori representative groups.