

**Health Select
Committee's Health
(Drinking Water)
Amendment Bill**

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Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Health Select Committee's Health (Drinking Water) Amendment Bill.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH, particularly in relation to Drinking Water Assessors.

General Comments on amendments to Part 2A of principal Act

4. NMH supports the overall intention of the Bill to improve the effectiveness and efficiency of Part 2A of the Act.

Specific Comments

5. **Clause 4:** NMH supports amendments to S69C removing the unnecessary references to ports and airports.
6. **Clause 5:** NMH supports amendments to S69P that requires the Minister to be satisfied that adequate consultation has been carried out and agrees that the removal of the 3-year period is appropriate.
7. **Clause 6:** NMH supports amendments to S69R which provides for standards to come into force at least 28 days after the date of publication of the relevant *Gazette* notice.
8. **Clause 7:** NMH agrees with the removal of the examples of 'reasonable steps' within the legislation. NMH stresses the importance that the Ministry of Health provide guidelines as soon as possible because this would assist those working in the field.
9. **Clause 8:** NMH, in general, supports the proposed amendments. However, NMH sees the need for a robust definition of 'reasonable steps' be incorporated into the Act in order to make the clause enforceable. In addition, NMH highlights that small and neighbourhood non-council suppliers have the most difficulty complying with the Act, often due to lack

of funding. NMH submits that changes to the Act must take cognisance of this often overlooked subset of drinking water suppliers.

NMH also notes that the timetable within a Water Safety Plan (WSP) is but one aspect of the plan. The current requirement within 69Z(8)(b) to 'start to implement' the plan within one month of approval presents interpretation difficulties for Drinking Water Assessors (DWAs). A WSP timetable may consist of dates well into the future and so this aspect of the plan is likely to be irrelevant when a DWA is required to assess whether implementation has started. Clear guidance on what constitutes an acceptable 'start' is required.

NMH also suggests that clause 69Z(9) be deleted. There is a conflict at the moment i.e.

- a. Small and neighbourhood drinking water supplies (populations 25-500) do not require a WSP under the Act;
- b. However, section 10 supplies under the Drinking Water Standards for New Zealand 2005 (revised 2008), serving populations <500, do require a WSP to make them compliant.
- c. Clause 69V(2) of the Act says that a supplier complies with the need to take all practicable steps to comply with the Drinking Water Standards if they implement relevant parts of their approved WSP.
- d. Up to now the Ministry of Health has only accepted a WSP as the means by which to meet clauses 69V(2) & (3).

10. **Clause 9:** NMH supports clause 9 (1,2,3,5) amendments. With regard to clause 9(4), NMH contends that it is important that the DWA and their administration systems work within an external quality system that maintains nationally consistent assessment decisions and nationally consistent quality standards. NMH agrees that this may not require an international standard.
11. **Clause 10:** NMH supports the amendments to s69ZP which sets out the powers of drinking-water assessors and designated officers, these changes will bring clarity.
12. **Clauses 11-19:** NMH supports the proposed technical amendments in these clauses.

Conclusion

13. NMH thanks the Health Select Committee for the opportunity to comment on the Health (Drinking Water) Amendment Bill.
14. NMH **does not wish to be heard** in support of its submission.

Yours sincerely



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