

Havelock North Inquiry Stage 2

Recommends urgent changes

With the Stage 2 Inquiry hearings now complete it's timely to look at the possible direction the Inquiry is headed. Water New Zealand's Technical Manager **Noel Roberts** attended the hearings and these are some of his observations.

It's clear that the Inquiry will result in a raft of recommendations that will likely have long-term implications for the way drinking water is managed in this country.

During the week-long hearing in August, it became clear that there was considerable frustration by panel members at the lack of leadership being exhibited by the Ministry of Health. Justice Stevens was clear that he wanted the Ministry to take a "broad and liberal" interpretation of the Health Act to do whatever can be done in advance of the Inquiry reporting in December to get on and make changes.

Those changes have already begun. In the weeks following the hearing the Ministry has done the following:

- Started the process of establishing a drinking water expert advisory committee that will provide independent scientific and technical advice on current and emerging issues related to drinking water quality;
- Drafting a consultation with industry document on changes to the drinking water register to collect a broader range of information (see below);
- The inclusion of critical control points in water safety plans.

The Inquiry heard evidence on the lack of compliance with the NZ Drinking Water Standards, and expressed dismay at the lack of enforcement of the regulations by the Ministry over the past 10 years. It seems likely that there will be a more rigorous approach to enforcement going forward.

There was considerable discussion on the shortages of drinking water assessors (DWAs). Changes were suggested

to their qualification requirements (having to also be a Public Health Officer) and could be better suited in a drinking water assessor having an industry background. Whether changes are also made to their placement with District Health Boards remains to be seen. There was quite a bit of expert evidence that in the UK virtually all DWAs are drawn from industry. The observation was – how could they effectively police the sector if they didn't know how a water treatment plant operated?

There was discussion on the need for a separate regulator for the water sector. That is, removing the function from the Ministry of Health and DHBs and establishing a separate unit reporting directly to the Minister of Health. This may be a bridge too far, but in any event may not be needed if the Ministry of Health takes a greater leadership role and DWAs are better resourced to do their job.

Most of the expert evidence supported the mandatory treatment of public water supplies. There seemed to be agreement that untreated supplies might be able to be approved – provided the decision was made by an expert group based on the source demonstrating certain technical criteria yet to be determined. However the general view was that this would occur rather rarely.

The topic of certification for treatment plant operators, supervisors and managers also had a good airing. The Association was asked to report back to the Inquiry by 22 September on progress with the proposal we tabled, recognising that it would be the subject of change. There seemed to be general support for making some form of certification mandatory.

There was discussion on the inadequacy of training and certification for people taking water samples, whether the drilling standards and bore construction standards are fit for purpose (not really); whether the process for recognising approved water testing laboratories was appropriate (serious doubts); whether continued use of *E. coli* as an indicator of contamination was appropriate (no); and whether the secure bore water status in the DWSNZ should be retained (probably not). Expect changes in all these areas.

An area of considerable interest was the idea that all water suppliers should be registered. In the UK this is enforced by the Drinking Water Inspectorate. The DWI has the treatment processes in use by each supplier listed and is able to revoke a water supplier's licence to operate.

In Australia, a water supplier is essentially a monopoly service and therefore it's a privilege to have a licence or permit to operate and this can also be revoked. The military or another agency can step in if the supplier fails. As part of the registration of a water supplier they must name a support agency as part of the registration / licence process – these vary from a neighbouring supplier to a multinational company.

To do this in New Zealand the Health Act would have to be changed – so this won't happen in a short time frame. It is an interesting concept that may get recommended in the final report due on December 8 2017.

The Ministry of Health has been asked to review the drinking-water register under Section 69J(5) of the Health Act 1956 that states that: “The register may also include any other information relevant to a drinking-water supplier, specified self-supplier, or a drinking-water supply that the Director-General considers appropriate.”

The reference to an airline exposition was made where they are required to provide continuity, competency and capacity, insurance, maintenance to ensure reliability of an essential service.

So, big changes are coming and we at Water New Zealand are lining up to respond on behalf of the sector. It's important that councils and service providers stay across developments – as a number of these changes are likely to happen quite quickly. [WNZ](#)

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