



# Weekly Webinar Series

Notifications

2 December 2021

The background is a solid teal color with a repeating pattern of overlapping, curved, arrow-like shapes. These shapes are arranged in a way that creates a sense of movement and depth, with some appearing to point towards the center and others away from it. The overall effect is a dynamic and textured background.

**Welcome**

# Ko wai, ko au, ko tātou

Ko te wai ahau, ko ahau te wai.  
He whakaaturanga tātau nō te wai.  
Ko te ora te wai ko te ora o te  
tangata.  
He taonga te wai me tiaki.  
Ko wai tātou.  
Ko wai tātou.

I am wai, wai is me.  
We are reflections of our wai.  
The health of te wai is the health of te  
tangata.  
Wai is a taonga that must be protected.  
Ko wai tātou.  
We are wai. Wai is us.



# What we will cover today

- **Current state**
  - Ray McMillan, Head of Regulatory – Key messages
- **Topics**
  - Nicola Esson, Principal Public Health Advisor – Differences in notifications and notification types
  - Peter Wood, Regulatory Team Leader – Response to notifications
- **Pātai / questions**
  - Opportunity to answer any further pātai / questions you might have

# Key messages

# Key messages for drinking water suppliers

- Drinking water suppliers have a duty of care to ensure that the water you supply is safe to drink. This applies now and for both registered and unregistered suppliers.
- Unregistered suppliers have up to **four years** to register and up to **seven years** to meet other requirements of the Act.
- Drafts for new Drinking Water Quality Assurance Rules, Drinking Water Standards, Aesthetic Values, and Acceptable Solutions, are available on our website ([taumataarowai.govt.nz/for-water-suppliers](https://taumataarowai.govt.nz/for-water-suppliers)). We welcome your feedback during public consultation, which is likely to commence early in 2022.
- Existing Drinking Water Standards New Zealand will continue to apply until replaced by new standards (expected around 1 July 2022).

# Registration of drinking water suppliers

- Drinking water supplies registered with the Ministry of Health immediately before 15 November 2021 have been transferred to Hinekōrako – our web-based self-service portal for suppliers and labs.
- Hinekōrako is the home for the register of drinking water supplies under the Water Services Act 2021. It will also be the primary channel for suppliers and labs to notify Taumata Arowai to meet their statutory reporting and notification obligations.
- Within the next three months, suppliers will receive an email from us to check their details and complete the registration process in Hinekōrako. It will be a phased approach. We started with 17 large suppliers this week.

# Duty of Care

- Drinking water suppliers have a responsibility to make sure the water they provide is safe. If for any reason you think it might not be, you need to:
  - take immediate action to protect public health
  - keep your consumers informed
  - notify us through Hinekōrako (if your account is set up) or use the online forms on our website ([www.tauamataarowai.govt.nz/for-water-suppliers/incident-notifications](http://www.tauamataarowai.govt.nz/for-water-suppliers/incident-notifications))
  - **call us 24/7 on (04) 889 8350** if there's an immediate risk of serious illness, injury or death arising from your drinking water supply and the situation can't be immediately controlled.



# Notifications

# Some difference in notification

- Under the Health Act there were only a few requirements to notify the Ministry of Health.
- The Water Services Act 2021 contains many requirements to notify Taumata Arowai.
- Today we will focus on the notifications that are important for suppliers.



# Notification types

Notification Type		Reference	Who
<b>Drinking Water Safety Issue</b>	Drinking water is or may be unsafe	21(2)(b)	Supplier
	Water does not comply with standards	22(2)(b)	Supplier
	Notifiable risk or hazard	35(2)(b)	Supplier
<b>Non-Compliant Laboratory Results</b>	Results indicate non-compliance with Drinking Water Standards	73(2)	Laboratory
<b>Ability to maintain sufficient supply at imminent risk</b>	Ability to maintain sufficient supply at imminent risk	26(1)(a)	Supplier
<b>Restriction or interruption of supply</b>	Planned restriction or interruption of supply >8hrs (seeking approval)	25(4)(a)(i)	Supplier
	Unplanned restriction or interruption of >8hrs	25(5)(a)	Supplier
<b>Notification – Other Supplier or Unregistered Supply</b>	Water being supplied from an unregistered supply	36(3)(a)	Supplier
	Material failures of another water supplier to comply	36(3)(b)	Supplier
	Material concern about ability of an operator to maintain authorisation	36(3)(c)	Supplier
<b>Unplanned Supply</b>	Unplanned supply of drinking water	34(3)(b)	Supplier
<b>Intention to cease Ownership</b>	Intention to cease being owner	36(1)(a)	Supplier
<b>Intention to Cease, Limit or Reduce Supply</b>	Intention to cease supply to customers	36(1)(b)	Supplier
	Intent to limit connections to the supply	36(1)(c)	Supplier
	Intent to reduce or limit volume of water supplied to consumers	36(1)(d)	Supplier
<b>Change to registration information</b>	Any change to information provided during registration	56(3)	Owner

# Drinking water safety issue

Notification Type		Reference	Who
Drinking Water Safety Issue	Drinking water is or may be unsafe	21(2)(b)	Supplier
	Water does not comply with standards	22(2)(b)	Supplier
	Notifiable risk or hazard	35(2)(b)	Supplier
Non-Compliant Laboratory Results	Results indicate non-compliance with Drinking Water Standards	73(2)	Laboratory

## Key messages:

- These are grouped together on the system
- There is significant overlap, and more than one notification type may apply for a single issue
- Similar actions are required to these events under the Water Services Act
- There are currently no Notifiable Risks and Hazards.
- Consultation on NRH due early 2022.

# Restriction or interruption of supply

Notification Type		Reference	Who
<b>Ability to maintain sufficient supply at imminent risk</b>	Ability to maintain sufficient supply at imminent risk	26(1)(a)	Supplier
<b>Restriction or interruption of supply</b>	Planned restriction or interruption of supply >8hrs (seeking approval)	25(4)(a)(i)	Supplier
	Unplanned restriction or interruption of >8hrs	25(5)(a)	Supplier

## Key messages:

- No significant changes from previous system
- Planned restriction or interruptions of >8hrs currently require approval
- There is an option for Taumata Arowai to develop compliance rules
- Suppliers would have option to seek prior approval or follow compliance rules

# Cessation, limitation, reduction of supply or change to registration details

Notification Type		Reference	Who
<b>Intention to cease Ownership</b>	Intention to cease being owner	36(1)(a)	Supplier
	Intention to cease supply to customers	36(1)(b)	Supplier
<b>Intention to Cease, Limit or Reduce Supply</b>	Intent to limit connections to the supply	36(1)(c)	Supplier
	Intent to reduce or limit volume of water supplied to consumers	36(1)(d)	Supplier
<b>Change to registration information</b>	Any change to information provided during registration	56(3)	Owner

## Key messages:

- Notifications under section 36(1) required at least 30 days before the proposed change
- Changes to registration information must be notified immediately
- Registration notifications directed straight to registration

# Notifications regarding other suppliers

Notification Type		Reference	Who
<b>Notification – Other Supplier or Unregistered Supply</b>	Water being supplied from an unregistered supply	36(3)(a)	Supplier
	Material failures of another water supplier to comply	36(3)(b)	Supplier
	Material concern about ability of an operator to maintain authorisation	36(3)(c)	Supplier

## Key messages:

- Not all suppliers currently required to be registered
- There are no regulations in place requiring authorisation
- Currently only material failure as specified in 36(3)(b) would be relevant.
- Failure to supply water in accordance with DWSP, DWSNZ, enforceable undertaking, direction or compliance order.

# Other notifications

Notification Type		Reference	Who
<b>Unplanned Supply</b>	Unplanned supply of drinking water	34(3)(b)	Any person
<b>Non-Compliant Laboratory Results</b>	Results indicate non-compliance with Drinking Water Standards	73(2)	Laboratory
<b>Conditions</b>	Notification is required by a condition imposed by Taumata Arowai		
<b>Other</b>	Information from another agency, the public, media, etc		Any person

## Key messages:

- Taumata Arowai will receive statutory notifications and information from other sources
- Where appropriate will seek to link these to supplier notifications of the event
- This information will be assessed in the same way as a statutory notification
- Taumata Arowai may require specific notifications as a condition e.g. of an exemption or planned event temporary supply



# Response to notifications

# How to notify Taumata Arowai

- Water suppliers can notify us through Hinekōrako if their account has been set up.
- There are online forms ([www.taumataarowai.govt.nz/for-water-suppliers/incident-notifications](http://www.taumataarowai.govt.nz/for-water-suppliers/incident-notifications)) that can be completed and emailed to [notifications@taumataarowai.govt.nz](mailto:notifications@taumataarowai.govt.nz).
- If the notifier considers there are immediate risks to public health, they should alert us by phone.
- Accredited laboratories are registered to use Hinekōrako and should notify us via Hinekōrako.
- If you have set up your account in Hinekōrako but cannot notify us, you can contact us by phone, email or post. Some instances include:
  - if a water supplier has not been transitioned into Hinekōrako or is not registered; or
  - if someone is unable to access the system due to an event (such as a natural disaster) or if there is a technology issue.

NOTE: Suppliers must also notify transgressions (in addition to Labs), as the supplier notifications provides context and responses.

NOTE: 50% MAV exceedances are not required.

# Water Supplier Responsibilities

If there is a reasonable likelihood that a supplier's drinking water is or may be unsafe, or if the drinking water does not comply with the drinking water standards, the supplier must:

- a) take immediate action to ensure that public health is protected; and
- b) notify Taumata Arowai that the drinking water is or may be unsafe; and
- c) investigate the source or cause of the problem; and
- d) take remedial action to rectify the problem; and
- e) identify and implement measures required to ensure that the problem does not reoccur; and
- f) take all practicable steps, to the satisfaction of Taumata Arowai, to advise affected consumers and drinking water suppliers that drinking water is or may be unsafe and what measures should be taken to protect public health (for example, boiling).

# Considering and prioritising notifications

- We will assess each notification based on five decision making criteria to help us determine whether we will respond and how we will respond. Our criteria are:
  - Implications for Te Mana o te Wai
  - The risk of harm caused by the event
  - The water supplier's capability to resolve the event
  - The environmental risk of the event
  - Whether a response is an effective use of our resources.
- The rationale for every response decision will be recorded.
- We will acknowledge the receipt of a notification and, following our assessment, we will provide an update on our response decision to the person who provided the information. We may only be able to provide a summary or confirmation that we are/are not taking action.

# What we do?

We use the information we receive to inform our decision on whether we respond to an event and how we will respond. Over time, the information we gather will provide valuable insights about drinking water supplies across Aotearoa New Zealand (such as trends and emerging issues). This information will help to inform the choices we make, including targeted audits and any enforcement action we may take.

Response type	Purpose
<b>Incident response</b>	To address any immediate or imminent event(s) that will have, or has, led to a serious risk to supply of safe drinking water and public health. This may be an emergency. When involved in an incident response, we may also undertake an investigation response.
<b>Investigation</b>	To gather information on the nature, impact and cause of an event relating to the supply of drinking water. An investigation will determine if there has been a failure to comply with legislation and if someone should be held accountable.
<b>Inspection / Assessment</b>	To gather information to determine the current state of compliance and if the supplier is responding adequately to any risk to the supply of drinking water.
<b>Continuity of supply</b>	<p>To ensure there is an adequate quantity of safe drinking water to the population that the supply serves. This may require facilitated discussions between various stakeholders like suppliers, consumers, and territorial authorities.</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>• Event causing a temporary reduction of supply that can be monitored by regional office with local knowledge to determine if, and when, to respond.</li> <li>• Event causing a longer risk to supply requires a response.</li> </ul>
<b>Consumer complaint investigation</b>	<p>A specific investigation to determine if a drinking water supplier has appropriately responded to a consumer complaint.</p> <p>An assessment may also be initiated if the underlying issue complained about requires a regulatory intervention.</p> <p>Typically, we will not be looking at the underlying issue that led to the consumers complaint. Exceptions may include:</p> <ol style="list-style-type: none"> <li>(i) The complaint suggests a serious non-compliance that has not been notified to Taumata Arowai.</li> <li>(ii) The complaint suggests that there may be ongoing serious risk to public health.</li> </ol>
<b>Audit</b>	A planned review of the performance of a drinking water supplier against legislative requirements and the supplier's drinking water safety plan or acceptable solution. Includes targeted audits covering specific compliance requirements and more detailed system audits.

# Pātai | Questions?