

2 March 2021

Committee Secretariat
Health Select Committee
Parliament Buildings
WELLINGTON 6160

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Dear Madam/Sir

SUBMISSION ON THE WATER SERVICES BILL

Waipa District Council appreciates the opportunity made by the Chair of the Health Select Committee for submissions to be made on the Water Services Bill (the Bill). Please find attached a copy of the Council's submission electronically submitted on 2 March 2021. Key aspects of the Bill were discussed at a Council workshop on 16 February 2021 and the Council's Strategic Planning and Policy Committee approved the submission at its meeting today, 2 March 2021.

You are welcome to make contact with Waipa District Council with regard to any of the points made in our submission. Please contact David Totman, Principal Policy Advisor, in the first instance via email at david.totman@waipadc.govt.nz or telephone at 07 872 0030.

Please note that Waipa District Council does not wish to speak to its submission.

Yours sincerely



Garry Dyet
Chief Executive

Attachment: Waipa District Council submission on the Water Services Bill

SUBMISSION ON THE WATER SERVICES BILL

By: Waipa District Council

INTRODUCTION

Waipa District Council (the Council) welcomes the opportunity to provide comment to the Health Select Committee on the Water Services Bill (the Bill).

GENERAL COMMENTS

1. Waipa District Council supports the overall intent of the Bill in introducing the regulations and powers required to enable Taumata Arowai (the Water Regulator) to ensure the provision of drinking water across New Zealand is safe.
2. The Council does however, have significant concerns about some of the responsibilities that the Bill appears to allocate to territorial authorities, like Waipa District Council, for ensuring the compliance of small private water suppliers such as marae, papakainga housing, rural schools etc. It seems to the Council, that much additional work is still required on determining the appropriateness of regulation for small rural drinking water suppliers and what obligations fall to territorial and regional authorities for managing or assisting these suppliers.
3. Currently, it appears that a Council like Waipa, will be acting as intermediaries between small water suppliers in the district and Taumata Arowai, in the passing of information between local and national government entities. This administrative role is new and uncertain in its extent but will certainly require additional resourcing and funding.
4. The Council has concerns that the costs of implementing the new drinking water regulations will be borne by larger water suppliers such as the Council in the first instance, and then by necessity, the district's residents. The wider concern of the Council regarding these regulatory costs, is that they will add to the rapidly growing cost burden falling to local authorities to meet a recent cascade of new Government policy directives and regulations in the next five years.
5. As part of the wider water reform process, the Council recognises that this Bill empowers Taumata Arowai as a water supply regulator. The Council submits that the role of Taumata Arowai will be to regulate and ensure safe water supply outcomes, and not directing how the Council reaches those outcomes.

6. The Council supports the clauses requiring a (prescribed) Water Safety Plan for all water supplies and the flexibility of requirements that will be permitted for water supplies of different complexity.
7. While the Council is also supportive of having a multi-barrier approach, it anticipates there will be practicality issues for water supply owners using a multi-barrier approach from preventing all hazards from entering the raw water in compliance with water source risk management plans. It is the view of the Council that it is beyond a water supply owner's control to prevent hazards from entering the water. There is, therefore, a need to review the Bill to see how it can leverage other legislation including the RMA and NES to protect source water; and clarify Territorial Local Authority and Regional Councils' responsibilities in this regard.
8. The Council is pleased that there is an Exemption clause included that allows Taumata Arowai to exempt any water supplier from compliance with any of the regulations contained in the Bill. This will allow for an element of flexibility to accommodate the realities of registering a huge range of small fresh water suppliers.
9. It is unclear how s125 of the Local Government Act (which states that a territorial authority must inform itself about the access that each community in its district has to drinking water services by undertaking an assessment of drinking water services in accordance with this section) will be administered and used by Taumata Arowai, i.e. potential implications of duty of care; the Council's extent of responsibility versus the role of Taumata Arowai, especially related to assessment of private supplies. There is also limited clarity on what constitutes a private supply.
10. The Council is generally in support of the Taituarā (SOLGM) submission on the Bill as well as the submission of the Water New Zealand (Water NZ).
11. It is noted that exemptions (sub part 8, s56) are proposed to be permitted for some lower risk water suppliers. Council supports this risk based approach.
12. Wastewater and stormwater
The Bill requires Taumata Arowai to identify and promote national good practice for the design and management of wastewater and stormwater networks. Council believes this is essential to support progress being made on improving the quality of our discharges to the environment.