

Summary of submissions:

Drinking Water Quality Assurance Rules

On 17 January 2022, Taumata Arowai commenced a 10-week public consultation on the proposed **Drinking Water Quality Assurance Rules** and other regulatory instruments. The consultation process was a mix of direct engagement and public notices, supported by webinars.

There were 1,868 submissions. 1,744 template submissions were received from Groundswell NZ supporters.

The following three tables and explanatory notes present information about the 124 submitters (other than the 1,744 template submissions from Groundswell NZ supporters) on the Drinking Water Quality Assurance Rules.

Table 1: Of the 124 submissions received, 97 were on behalf of an organisation or group, 27 were submitted by individuals.

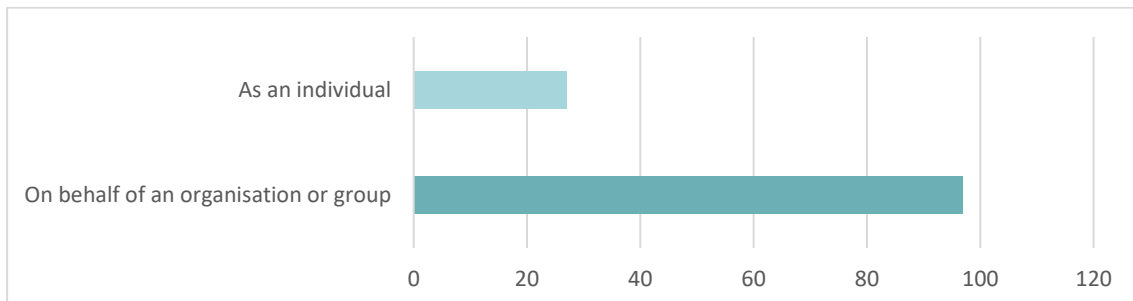


Table 2: Of the 124 submissions received, 23 were identified as a national response. We received responses from 16 regions.

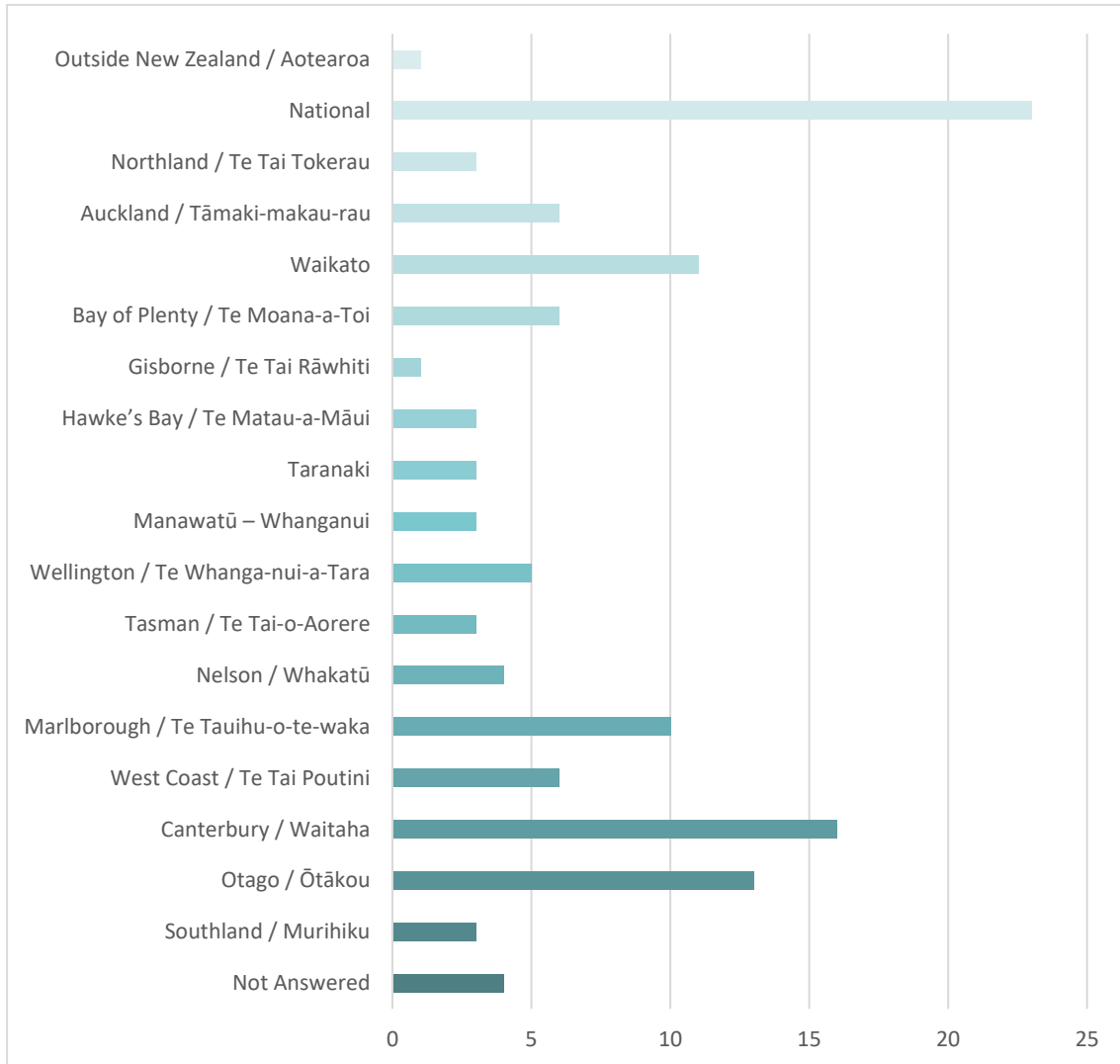
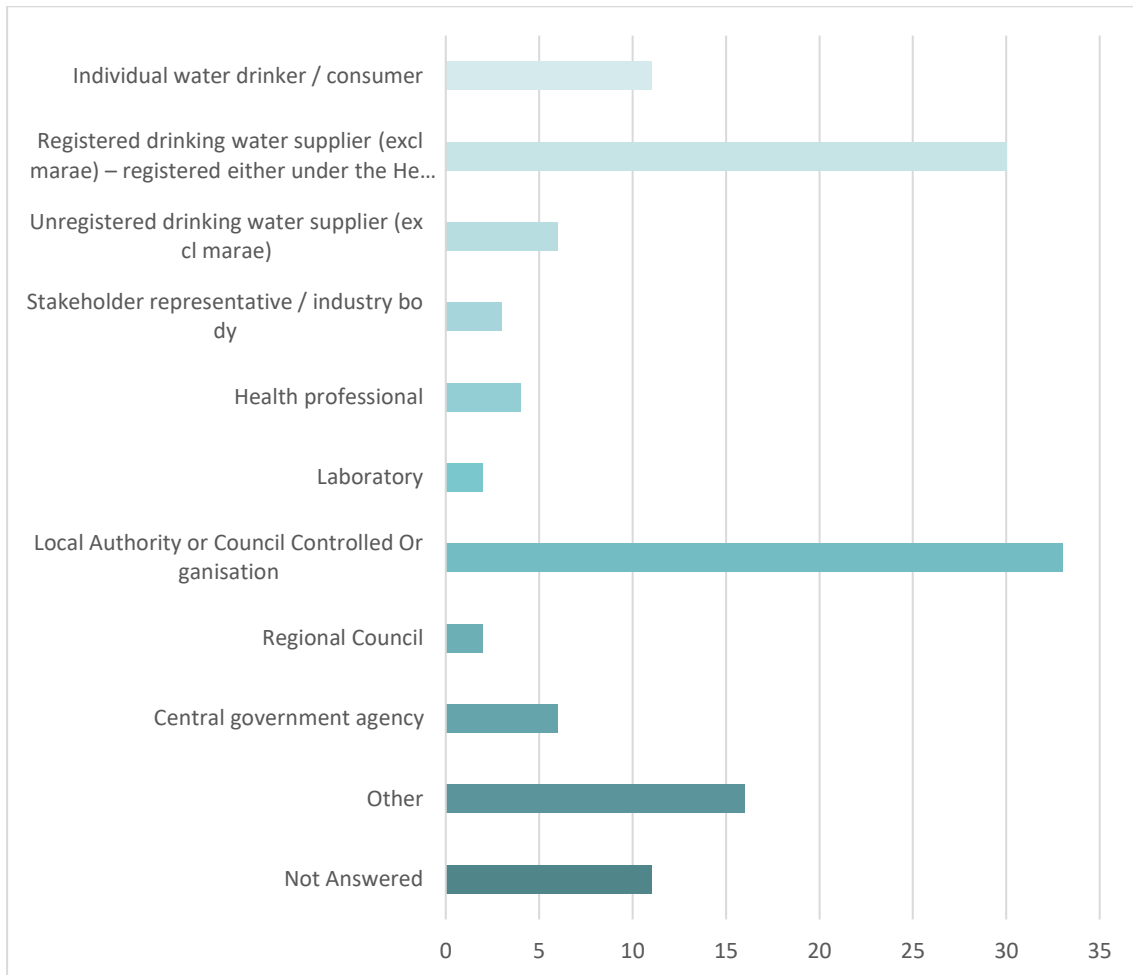


Table 3: Most responses received were from organisations or groups that identified themselves as a Local Authority or Council-Controlled Organisation (33), Registered drinking water supplier (excluding marae) – registered either under the Health Act 1956 or the Water Services Act 2021 (30) or Individual Water Drinker/Consumers (11).



Below is a summary of the responses received to the specific questions asked as part of the consultation. Not all respondents answered every question, and some respondents provided separate written documents in place of answering the individual questions.

Survey Question	Submission Response		
	Yes	No	Don't know
Do you agree that the proposed Drinking Water Quality Assurance Rules support the objective of ensuring that drinking water suppliers provide safe drinking water to consumers?	27	15	3
Do you agree that these categories are appropriate? The proposed Drinking Water Quality Assurance Rules have been prepared for the following water supply categories: 1. On-demand Networked Drinking Water Supplies with the following population sizes: (a) <50 (Very Small Supplies) (b) 50 – 500 (Small Supplies) (c) >500 (Large Supplies) (d) Varying Population Size Supplies 2. Trickle Feed Water Supplies 3. Self-supplied Building Drinking Water Supplies 4. Water Carrier Services 5. Planned Event Temporary Drinking Water Supplies 6. Community Drinking Water Stations/Water Carrier Supplies	15	8	3
Do you agree that the general drinking water quality assurance rules associated with a Planned Event Temporary Drinking Water Supply should be recorded in the Rules as reflected in the consultation document? The alternative is that the drinking water quality assurance rules would be detailed as a condition on each permit.	4	3	13
Do you agree with the proposed Drinking Water Quality Assurance Rules being structured in this manner?	19	2	4
Do you agree with the allocation of modules to On Demand Network Drinking Water Supplier – Very Small Drinking Water Supplies (namely G + S1 + T1 + D1)?	11	3	9
Do you agree with the allocation of modules to On Demand Network Drinking Water Supplier – Small Drinking Water Supplies (namely G + S2 + T2 + D2)?	9	10	7

Survey Question	Submission Response		
	Yes	No	Don't know
Do you agree with the allocation of modules to On Demand Network Drinking Water Supplier – Large Drinking Water Supplies (namely G + S3 + T3 + D3)?	9	3	10
Do you agree with the allocation of modules to On Demand Network Drinking Water Supplier – Varying Population Size Drinking Water Supplies (less than 500 people) (namely G + S2 + T2 + D2)?	9	3	9
Do you agree that On Demand Network Drinking Water Supplier – Varying Population Size Drinking Water Supplies (less than 500 people) must comply with Rule E1 in addition to modules G + S2 + T2 + D2?	7	6	8
Do you agree with the allocation of modules to On Demand Network Drinking Water Supplier – Varying Population Size Drinking Water Supplies (more than 500 people) (namely G + S3 + T3 + D3)?	9	3	10
Do you agree that On Demand Network Drinking Water Supplier – Varying Population Size Drinking Water Supplies (more than 500 people) that the distribution system monitoring requirements must increase according to the frequencies set out in the D3 rules for the periods that the population is increased above the base population	7	2	11
Do you agree with the allocation of modules to Trickle Feed Water Supplies (namely G + S2 + T2 + D2)?	5	9	7
Do you agree that Trickle Feed Water Supplies (must comply with Rule F1 in addition to modules G + S2 + T2 + D2)?	12	1	9
Do you agree with the allocation of modules to Self-Supplied Building Drinking Water Supplies (suppliers serving less than 50 people) (namely G + S1 + T1)?	7	2	10
Do you agree with the allocation of modules to Self-Supplied Building Drinking Water Supplies (suppliers serving between 50 and 500 people) (namely G + S2 + T2)?	5	3	13
Do you agree with the allocation of modules to Water Carrier Services (namely G + WC)?	10	0	11
Do you agree with the allocation of modules to Planned Event Temporary Drinking Water Supplies (namely G + PTE)?	6	2	11

Survey Question	Submission Response		
	Yes	No	Don't know
Do you agree with the allocation of modules to Community Drinking Water Stations and Water Carrier Supplies (namely G + S2 + T2 (excluding the T2 rules for chlorine disinfection))?	5	1	13
Do you agree with the proposed Drinking Water Quality Assurance Rules in section 10?	9	23	6
Do you agree with the proposed General Rules?	3	4	1
Do you agree with the proposed Source Water Rules for the S1 module?	5	3	2
Do you agree with the proposed Treatment Rules for the T1 module?	4	2	2
Do you agree with the proposed Distribution System Rules for the D1 module?	4	2	2
Do you agree with the proposed Source Water Rules for the S2 module?	3	2	2
Do you agree with the proposed Treatment Rules for the T2 module?	1	4	2
Do you agree with the proposed Distribution System Rules for the D2 module?	1	3	3
Do you agree with the proposed Treatment Rules for the T3 module?	1	3	3
Do you agree with the proposed Distribution System Rules for the D3 module?	2	3	3
Do you agree with the proposed Water Carrier Service Rules?	3	1	3
Do you agree with the proposed Planned Temporary Events Rules for the PTE module?	3	3	2
Do you agree with the proposed definition of Planned Temporary Drinking Water Supplies?	5	2	2

Key themes from submissions

There were several themes from submissions, including:

- General comments that the transition to the Rules was too short:
 - Some submitters noted for large financial outlays of equipment required under the draft Rules, orders will not be placed until such time as the Rules are set after the consultation period and budgets are approved. This will mean that there will be a delay in procuring equipment along with the fact in the current economic climate, lead times for equipment have been greatly increased.
 - Suppliers needing certainty about the timeframes for complying with the new requirements, and what training and infrastructure is necessary.
 - There needs to be more clarity what the transition time is.
 - There is no transition provision, just an administrative convenience timeline.
 - A small number of submitters commented the timeframes in the Act of 4 years to register as drinking water supplier and 7 years to be fully compliant are adequate.
 - This is not enough time for small rural organisations to have a treatment system installed. There are many factors out of our control; supply/availability of equipment, availability of qualified tradespeople to install the system within this short time frame, and the rules are not finalised until July so it makes sense to wait in case additional compliance changes are made by July.
 - At present, many of the Council water supply bores do not have treatment in place as they meet the Drinking Water Standards definition of 'secure' bore water status. The proposed Rules do not include provision for bore water 'secure' status, so considerable planning and budgeting for new treatment and other operational processes will be required. As one example, in order to comply with the protozoal requirements, either below ground bore heads will have to be raised above ground, or UV disinfection installed. Which option provides the optimum outcome however will depend on the outcome of residual disinfection applications, which is still an unknown.
 - Some councils recommend that compliance reporting should be delayed until the new entities are formed to provide consistency on reporting and operations.
 - Request for a 25-year transition period, which would match any capex depreciation rates.
- Submitters were also concerned about the extent of the proposed requirements, and whether these are disproportionate to the scale, size and complexity of some supplies, for example:
 - The proposed rules reflect the pursuit of excellence in the quality of drinking water. This must be substantially tempered to allow for real-world circumstances, the intersection with provisions of several other pieces of legislation, community behaviour, and future governability.
 - Queries about the risk basis for the new requirements, and the perceived implication that longstanding drinking water supplies are now unsafe.
 - Many of these concerns were particularly expressed by small suppliers, as well as those in rural communities (which include but are not limited to small suppliers). Often these are volunteer-run supplies, with many submitters raising concerns about the continuity of water supplied to often remote areas of the country.

- The following additional issues were raised by submitters:
 - The population groups and rules applied should be reconsidered to enable a more pragmatic risk-based approach. One option could be to redefine the groupings (e.g., <25 very light touch minimal requirements, 25-100 very small, 100-500 small – or something similar), alternatively an option could be to combine the categories for Very Small and Small Water Supplies (up to 500 people) into a single category which uses the draft Rules for Very Small Supplies.
 - Small Water Supplies, Self-Supplying Building Water Supplies and Planned Temporary Event Water Supplies should not be required to chlorinate their supplies.
 - Existing water supplies should be protected by grand-parenting provisions as subdivisions or builds were completed prior to the Water Services Act.
 - The proposed rules should be only for suppliers that sell water to gain a profit.
 - Water should only be regulated to the point which the easement holder can legally lay their pipes to.
 - The wider drinking water regulations are not necessary. This is expressed as their current water supply systems work, individual households should be responsible, the proposed regulations are not proportionate, or there should be an exemption for small supplies.
 - Education for the next generation to manage our waterways is what is required, not cumbersome rules and regulations that always come at a cost.
 - The drinking water rules should only apply to new water schemes. The proposed rules create a significant burden on landowners with existing easements.
 - There is a risk of unintended consequence – with less suppliers due to the proposed excessive regulation consumers may move to higher risk water supplies like roof water.
 - Technical issues, such as testing frequency and temperature control of samples

Next steps

The Drinking Water Quality Assurance Rules are due to be published at the end of July 2022. Following this, we will publish a separate document that summarises the main changes and how we responded to feedback from public consultation.