

18 August 2006

Committee Secretariat
Health Committee
Bowen House
Parliament Buildings
WELLINGTON

Submission – Health (Drinking Water) Amendment Bill

This submission is from the Wellington City Council. The Council's submission will also be forwarded to Local Government New Zealand for consideration with their submission. Council wishes to speak to its submission.

Council regards the purpose of the Bill as undeniably worthy. Council fulfils its duty to improve, promote and protect public health by voluntarily subscribing to the 2005 Drinking Water Standards for water supplies controlled by the Council, and in this regard Council consults with its community on levels of service for supplying water. Council uses the Special Consultative Procedure to notify and ratify its intentions for changes in service levels for water supplies. The Special Consultative Procedure is also used for completing and revising water assessments, as per section 125 of the Local Government Act 2002. In general Council holds the view that that it is proactive in fulfilling its duties as per section 23 of the Health Act 1956 to improve, promote and protect public health.

Although Council endorses the objectives of the Bill, it has specific concerns for the Select Committee to consider:

The General Policy Statement

The General Policy Statement that prefaces the Bill does not clearly identify or quantify the likely beneficial effects of the Bill, especially with regard to how the making of mandatory Drinking Water Standards will reduce the recorded number of infectious intestinal diseases. While it is reasonable to state that people who take water from ungraded or substandard supplies (that is, supplies that do not conform to the Drinking Water Standards) are exposed to a higher risk, the indicative estimated cost of compliance (\$50m - \$200m) is significant. It seems reasonable to quantify the benefits of the Bill in terms of the likely reduction in the \$55m in costs from infectious intestinal diseases. If a reduction in the number of infectious intestinal diseases cannot be accurately forecast, it undermines the justification of replacing a voluntary regime with a mandatory regime.

Requirements for Councils to Underwrite Non Council Supplies

Clauses 69T and 69ZZE (4) impose contingent obligations on Councils for drinking water supplies that are not Council owned or controlled. These provisions seem unreasonable and should be removed from the Bill. Council objects to clause 69ZZE (4) as this clause serves to make ratepayers responsible for actions that Council did not contribute to. With regard to clause 69T some mechanism should be available to enable Councils to have oversight of non Council schemes so that the Council may manage the risk of being required to intervene if called upon by a supplier for assistance to continue to provide an adequate supply.

Duty for Remedial Action

There appear to be inconsistencies between clauses 69V and 69ZF that should be addressed. The obligation in clause 69V is qualified and balanced by the term 'All Practicable Steps' which is defined under clause 69H. This qualification doesn't extend to clause 69ZF and could give rise to a designated officer requiring remedial action that the drinking water supplier had regarded as not being practicable.

Regards

Kerry Prendergast
Mayor
Wellington City Council