

# Report on a drinking-water suppliers' compliance with the Health Act 1956 duties

**For Period:** 01/07/2020 to 30/06/2021

**Drinking Water Supplies:**

Huntly (HUN002)  
Ngaruawahia (NGA002)  
Onewhero (ONE004)  
Port Waikato (POR005)  
Raglan (RAG001)  
Te Akau (TEA009)  
Te Kauwhata (TEK001)  
Pokeno (POK001)  
Tuakau (TUA002)

**Water Supplier:**

Waikato District Council

Wai Comply Assessment Unit  
PO Box 67008, Lepperton  
New Plymouth 4362

**Report Identifier**

2021-08-23\_WCWK\_Report Compliance with Health Act Duties 2020-2021\_Final\_GK\_V1



## EXECUTIVE SUMMARY

An official assessment of the performance of the Waikato District Council as a “water supplier” and Watercare Services Limited (Watercare Waikato) as the drinking-water supplies operator against the ‘Health Act 1956, Part 2A - Drinking water (the Act) has been completed for the period 1<sup>st</sup> July 2020 – 30<sup>th</sup> June 2021.

The assessment was undertaken by a Drinking Water Assessor from the Wai Comply Assessment Unit. The tables below show a summary of compliance with regard to the respective duties or identified those where a potential-breach may have occurred.

### ASSESSMENT FINDINGS

HEALTH ACT 1956 - DUTY	ASSESSMENT FINDINGS
Section 69S – Duty of suppliers in relation to the provision of drinking water	Duty Met
Section 69U – Duty to take reasonable steps to contribute to protection of source of drinking water	Duty Met
Section 69V – Duty to comply with drinking-water standards	<b>Potential Breach</b>
Section 69X – Duties in relation to new water sources	Duty Met
Section 69Y – Duty to monitor drinking water	Duty Met
Section 69Z – Duty to prepare and implement a WSP	Duty Met
Section 69ZD – Duty to keep records and make them available	Duty Met
Section 69ZE – Duty to investigate complaints	Duty Met
Section 69ZF – Duty to take remedial actions if drinking-water standards are breached	Duty Met



## INTRODUCTION

An official assessment of the performance of the Waikato District Council as a “water supplier” and Watercare Services Limited (Watercare Waikato) as the drinking-water supplies operator against the ‘Health Act 1956, Part 2A - Drinking water (the Act) has been completed for the period 1<sup>st</sup> July 2020 – 30<sup>th</sup> June 2021.

The assessment was undertaken by a Drinking Water Assessor (DWA) from the Wai Comply Assessment Unit. The tables below show a summary of compliance with regard to the respective duties or identified those where a potential-breach may have occurred.

An assessment of the duties of the Act occurred on the following dates and locations:

- Progress against the Act’s duties is discussed at the quarterly compliance meetings held between the DWA and Watercare representatives.
- Office based assessment of the compliance period undertaken throughout July 2021.

As defined within the Act, Section 69ZL specifies the functions with which a DWA assesses the performance of a water supplier’s duty to meet Part – 2A of the Act.

### TERMINOLOGY

**Potential-breach:** A potential-breach is where a Drinking Water Assessor has undertaken an assessment of a drinking-water suppliers’ duty to meet the provision of Part 2A of the Health Act 1956 and found that the duty(ies) is/are not being met with which a potential-breach has occurred.



# ASSESSMENT OF COMPLIANCE WITH DUTIES OF DRINKING-WATER SUPPLIERS UNDER THE HEALTH ACT

The water supplier’s performance in meeting the duties of the Act as a water supplier can be defined as.

<b>Section 69S – Duty of suppliers in relation to the provision of drinking water</b>	Met for all supplies
<i>This decision is based on the following: The DWA is aware that the water supplier has systems in place for the notification of outages to the DWA. Watercare Waikato report no outages greater than eight hours during the 2020-2021 compliance period.</i>	

<b>Section 69U – Duty to take reasonable steps to contribute to protection of source of drinking-water</b>	Met for all supplies
<i>This decision is based on the following: The following activities have been undertaken during the assessment period:</i>	
<i>Watercare Waikato activities:</i>	
<ul style="list-style-type: none"> <li>• <i>Approaching both Auckland and Waikato Regional Councils on "Source Protection Plans".</i></li> <li>• <i>Source Water Risk Management working group attendance continuing.</i></li> <li>• <i>Receiving notifications with pollution hotline and Regional/District Councils.</i></li> <li>• <i>Submitting on landfill consent coming in future.</i></li> </ul>	
<i>Waikato District Council activities:</i>	
<ul style="list-style-type: none"> <li>• <i>Stormwater by-law in development.</i></li> <li>• <i>New and ongoing funding commitments to catchment ecological improvements</i></li> <li>• <i>New and ongoing improvements to municipal wastewater discharges in the catchments.</i></li> </ul>	

<b>Section 69V – Duty to comply with drinking-water standards</b>	<b>Potential-breach</b>
<i>This decision is based on the following: Watercare Waikato have provided the DWA with the compliance criteria that they are using to demonstrate compliance with the DWSNZ for the 2020/21 assessment period. Progress against the criteria was assessed during the quarterly compliance meetings and Wai Comply subsequently issue a quarterly compliance statement or meeting notes to Watercare summarising the compliance for that quarter.</i>	
<b><i>Te Akau Water Supply did not comply with drinking-water standards</i></b>	
<i>The Te Akau water treatment plant was unable to demonstrate compliance against DWSNZ due to an approved WSP not being in place to allow Section 10 DWSNZ compliance option to be utilised. All other water supplies complied with each of their individual DWSNZ requirements. See ‘Waikato District Council – Report on compliance the DWSNZ’ for further details on this DWSNZ non-compliance.</i>	

<b>Section 69X – Duties in relation to new water sources</b>	Met for all supplies
<i>This decision is based on the following: The Te Akau drinking water supply had a change of registered source and water treatment during the compliance period to the Raglan drinking-water supply source and water treatment plant. The Register of Drinking-water Suppliers for New Zealand was updated. As the source was previously registered and managed in accordance with the DWSNZ no specific water quality monitoring was required.</i>	

**Section 69Y – Duty to monitor drinking-water**

Met for all supplies

*This decision is based on the following: Monitoring data has been assessed during the quarterly DWSNZ compliance assessments. Treatment plants demonstrate compliance from continuous monitoring data reporting and event incident reports and E. coli monitoring for distribution compliance which are uploaded to DWO and demonstrated through the quarterly and annual compliance sections.*

**Section 69Z – Duty to prepare and implement a Water Safety Plan (WSP)**

Met for all supplies

*This decision is based on the following: The Act only mandates that supplies over 500 population are required to have a WSP. For Waikato District Council that includes Huntly (HUN002), Ngaruawahia (NGA002), Raglan (RAG001), Te Kauwhata (TEK001), Pokeno (POK001) (supplied by Ardmore/Waikato WTPs), Tuakau (TUA002) (supplied by Ardmore/Waikato WTPs). All water safety plans are within their expiry dates except Raglan and Watercare Waikato have provided an update of improvement plans as evidence of ongoing implementation. Watercare Waikato have submitted a water safety plan for Raglan that is still being assessed as draft and therefore duty is considered met.*

**Section 69ZD – Duty to keep records and make them available**

Met for all supplies

*This decision is based on the following: As part of the quarterly DWSNZ compliance assessments various types of monitoring data and information has been requested and provided.*

**Section 69ZE – Duty to investigate complaints**

Met for all supplies

*This decision is based on the following: Complaint investigation is a combined approach between Waikato District Council and Watercare Waikato to receive and act on complaints related to the drinking-water supplies. Watercare Waikato provided evidence on the receiving and triage system in place.*

**Section 69ZF – Duty to take remedial actions if drinking-water standards are breached**

Met for all supplies

*This decision is based on the following: Remedial action was undertaken on a number of occasions by Watercare Waikato during the compliance period. All potential breaches of the DWSNZ are investigated by Watercare Waikato and an Event Investigation Report (EIR) created and provided to the DWA in a timely manner.*



## ESCALATION OF POTENTIAL-BREACHES TO A DESIGNATED OFFICER

In accordance with the Act – Section 69ZL Functions of a drinking-water assessor(s) – it is required that the DWA escalate the potential-breach relating to section “69V - Duty to comply with the drinking-water standards”, to the Waikato District Health Board Designated Officer, in this case the Medical Officer of Health.

It will be the Designated Officer who determines if Waikato District Council has complied with the duty “Section 69V” and whether an offence (Section 69ZZR) has occurred. The Designated Officer will contact Waikato District Council if any further action is required as part of their investigation into the potential-breach of this duty.

## CONDITIONS

The results in this report relate only to the compliance of the above-mentioned Waikato District Council drinking-water supplies, and the Waikato District Council’s overall performance as a water supplier against its legislative duties and Watercare Waikato as the operator supporting those legislative duties.


Information in this report may be provided to the Ministry of Health at their request. With the exception of the Ministry of Health, this report shall not be reproduced without the approval of the Wai Comply Assessment Unit and Waikato District Council.

**Completed: 23rd August 2021**

**Grant King**  
**Drinking Water Assessor (Trainee)**  
**Wai Comply Assessment Unit**



## ASSESSMENT REPORT INFORMATION

<b>Report identifier</b>	2021-08-23_WCWK_Report Compliance with Health Act Duties 2020-2021_Final_GK_V1	
<b>Organisation</b>	Wai Comply Limited PO Box 67008, Lepperton New Plymouth 4362	
<b>Drinking Water Assessor(s)</b>	Grant King (Trainee) Supervised by Josh Tākao	
<b>Assessment Date</b>	1 July 2020 to 30 June 2021	
<b>Description of assessment work</b>	Assessment of duties under the Health Act 1956 for Waikato District Council	
<b>Water Supply Owner / Person Responsible</b>	Waikato District Council Gavin Ion Chief Executive Postal: Private Bay 544, Ngaruawahia 3742	Watercare Services Limited Mathew Telfer Operations Manager – Waikato District
<b>Assessment method</b>	Standard specified in Health Act 1956 Standard assessment as per Scope Procedure 1	
<b>Documents and Information</b>	<ul style="list-style-type: none"><li>• Health Act 1956</li><li>• Drinking-water Standards for New Zealand 2005 (revised 2018)</li><li>• Wai Comply Assessment Unit – Quality and Administration Manual</li><li>• 2021-07_WCWK_Scope 1 - Checklist water supplies Health Act duties_GK_V1</li><li>• 2021-02_WatercareWaikato_S2_2020Q3 Verification of Data Monitoring Checklist_FINAL_JJT_v1</li><li>• 2021-01_Watercare_Waikato 2020 Q3_DW Compliance Update_Watercare amendments_JJT_v1</li><li>• 2021-02_WatercareWaikato_S2_2020Q3 Quarterly Meeting OneNote_JJT_v1</li><li>• 2021-05_WatercareWaikato_S2_2020Q4 DWSNZ Compliance Statement_FINAL_JJT_v1</li><li>• 2021-02_WatercareWaikato_S2_2020Q4 Verification of Data Monitoring Checklist_DRAFT_JJT_v1</li><li>• 2021-04_WatercareWaikato_S2_2020Q4_Quarterly Meeting Notes Response_JJT_v1</li><li>• 2021-05_WatercareWaikato_S2_2021Q1 Verification of Data Monitoring Checklist_DRAFT_JJT_v1</li><li>• 2021-05_Watercare_Waikato_2021Q1 Additional Info_JJT_v1</li><li>• 2021-08-02_WCWK_DWSNZ Compliance Statement Te Akau_JJT_v1</li></ul>	
<b>Site of Assessment</b>	The overall assessment included the following locations: Desktop assessment only.	
<b>Omissions from proposed assessment</b>	Nil	
<b>Sub-contracted work</b>	Nil	
<b>Document checked by:</b>	Josh Tākao Drinking Water Assessor Date: 23/08/2021	
<b>Release of report authorised by:</b>	<b>Josh Tākao</b> <b>Drinking Water Assessor</b> <b>Signature:</b>  <b>Date: 23/08/2021</b>	

If you do not agree with the findings of this report a written appeal must be lodged with the Technical Manager of the Wai Comply Assessment Unit within two (2) months of receipt of this report. The Technical Manager will arrange for a review to be undertaken using the Ministry of Health appeals procedure.