



# Hamilton City Council – Staff Feedback

## Consultation on Changes to the Rules for Water Supply

Department of Internal Affairs



10 May 2024



**Hamilton  
City Council**  
Te kaunihera o Kirikiriroa

# Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this staff feedback is aligned to the priority **A green city**.

## Council Approval and Reference

This staff feedback was approved by Hamilton City Council's Chief Executive on 10 May 2024.

Feedback # 765.

**It should be noted that the following feedback is from staff at Hamilton City Council and does not therefore necessarily represent the views of the Council itself.**

## Introduction

1. Hamilton City Council staff would like to thank the Department of Internal Affairs for the opportunity to provide feedback on proposed amendments to the Non-Financial Performance Measures Rules (the Rules).
2. Non-Financial Performance Measures Rules 2013 (Department of Internal Affairs) set out performance measures for water supply that must be reported by Local Authorities. Hamilton City Council staff understand that amendments will replace references to Drinking Water Standards 2005 with drinking water standards made under the Water Services Act 2021; and replacing generic compliance criteria with specific compliance criteria.
3. Hamilton City Council provides a water supply service to New Zealand's fourth largest city with a population of over 185,000 (Stats NZ).
4. Hamilton City Council staff support a drinking water regulatory framework that is consistent with internationally accepted best practice, including a duty on drinking water suppliers to comply with drinking water standards on a consistent basis, and transparency about the performance of drinking water and network operators.
5. Hamilton City Council has previously submitted on the need for efficiency when reporting. This is important to both the drinking water supplier and communities.
6. Hamilton City Council has also submitted to Taumata Arowai on proposed drinking water safety performance measures where we stated that it was not easy to understand the requirements for bacteriological compliance, and protozoal compliance.

## Support for the Proposed Amendments

7. Hamilton City Council staff support the simplified approach of 'direct' reference to the Water Services (Drinking Water Standards for New Zealand) Regulations 2022.
8. We also support the reference update to the Standard, and specified determinand for the microbiological determinand - total pathogenic protozoa, and E.coli (Maximum Acceptable Values).
9. We consider that these determinands represent greatest risk to public health and therefore the measure achieves its focus on safe drinking water. This approach also works well to capture the requirements for different supply categories, without the complication of having to refer to individual rules under the Drinking Water Quality Assurance Rules (DWQAR).

## Timing of Proposed Amendments

10. Whilst the proposal to amend the measures is welcomed, the timing of the proposal is out of alignment with Council planning processes. Hamilton City Council's 2024–34 Long Term Planning is well underway, with submissions on the draft plan now closed and the plan is on track to be adopted by 4 July 2024.
11. Hamilton City Council has included modified Water Supply Safety Measures in its draft 2024–34 Long Term Plan to enable transparent reporting on Water Safety, whilst still meeting the intent of the now obsolete measures.
12. These measures include:

- a) The extent to which Hamilton's drinking water treatment process achieves compliance with protozoa criteria for water leaving the treatment plant: expressed as *“number of protozoa log removal credits achieved”*.
  - b) The extent to which Hamilton's drinking water supply achieves compliance with Microbiological criteria within Taumata Arowai's Drinking Water Quality Assurance Rules and Microbiological maximum acceptable values under the Drinking Waters Standards: expressed as *“number of days E.coli detected in the [specific Supply Zone]”*.
13. It would be beneficial if the release of revised Rules included transitional provisions to allow Councils to amend mandatory performance measures, if required, with timeframes having due consideration to the procedural requirements for change under the Local Government Act 2002.

## Improving Clarity and Consistency

14. Hamilton City Council staff recommend that brief ‘Guidance notes’ are provided to drinking water suppliers to remove any ambiguity on what should be reported. This will remove confusion and achieve greater consistency across water suppliers.
15. It is suggested that the measurement of E.coli compliance be expressed in the number of days E.coli was detected. This will provide simplified reporting, whilst still demonstrating to our community that our drinking water is safe. It will also clarify to suppliers that reporting on treatment plant bacterial compliance parameters is no longer required.
16. Clarification is needed for reporting on protozoa. It is rare for water suppliers to ‘directly’ monitor for protozoa. A note to state that suppliers may demonstrate compliance with this measure by achieving the required protozoal log credit removal during treatment, would be beneficial to meet objectives of understanding safety of the water supply.
17. We are concerned that some differences in reporting parameters and timeframes have the potential to confuse the community i.e., compliance against the Drinking Water Quality Assurance Rules versus reporting on the proposed determinands over different time periods.
18. To address this, we strongly support further reporting efficiency between Taumata Arowai annual reporting and Department of Internal Affairs performance measure data and consider a comprehensive review of all drinking water related mandatory non-financial performance measures is needed. This will reduce the potential to confuse the public about water supply safety performance.

## Looking to the Future

19. Hamilton City Council staff also note that a new economic regulation system is on the horizon, and that the Office of the Auditor-General has previously released several reports commenting on the need to improve performance measure reporting.
20. Hamilton City Council staff recommend that a more comprehensive review of all the water related mandatory performance measures to ensure they are meaningful to our communities. Terms of reference for the review should be directly related to what is important and transparent for communities and should seek alignment with reporting that is currently or is expected to be required in the future by Taumata Arowai and the proposed Waters Economic Regulator.

## Further Information and Opportunity to Discuss Our Feedback

21. Should the Department of Internal Affairs require clarification of the feedback from Hamilton City Council staff, or additional information, please contact **Paula Brown** (Water Compliance Specialist) on 07 838 6548, or email [Paula.Brown@hcc.govt.nz](mailto:Paula.Brown@hcc.govt.nz) in the first instance.
22. Hamilton City Council representatives would welcome the opportunity to discuss the content of this feedback in more detail with the Department of Internal Affairs.

Yours faithfully



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**CHIEF EXECUTIVE**

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