
News

Release of Stage 2 of Havelock North Drinking-Water Inquiry

Stage 2 of the Inquiry into Havelock North Drinking-Water has been released by the Department of Internal Affairs. Stage 1, which addressed the causes of the water contamination incident and assessed the conduct of those responsible for providing safe drinking water in Havelock North, had been released in May 2017.

The Inquiry was set up in September 2016, following the widespread outbreak of gastroenteritis in Havelock North in August 2016, with more than 5000 people falling ill.

Its members were Hon Lyn Stevens QC (chair), Dr Karen Poutasi CNZM and Anthony Wilson ED.

The main findings of Stage 1 included:

- Sheep faeces containing campylobacter were the likely cause of the outbreak. The Te Mata aquifer was not confined (as was assumed prior to the Inquiry's process) and was vulnerable to contamination.
- Several parties, particularly the Hawkes Bay Regional Council (the Regional Council), the Hastings District Council (the District Council), and the Drinking Water Assessors (DWAs) failed to adhere to the high levels of care and diligence necessary to protect public health.
- The Regional Council failed to meet its Resource Management Act responsibilities and to take specific and effective steps to assess contamination risks to the Te Mata aquifer (from which Havelock North's water was drawn).
- The District Council did not embrace or implement the high standard of care required of a public drinking water supplier, or adequately supervise the implementation of tasks, plant management and equipment maintenance, and had no Emergency Response Plan (contingency plan).
- There was a critical lack of collaboration and liaison between the Regional Council and the District Council, and the DWAs should have been stricter in ensuring the District Council complied with its responsibilities.

Stage 2 addresses systemic issues and provides recommendations about managing water supply across New Zealand to safeguard against such an outbreak occurring in the future.

In light of the evidence it heard, and principles of drinking water supply observed internationally, the Inquiry identified the following six fundamental principles of drinking water safety for New Zealand:

Principle 1: A high standard of care must be embraced

The high standard of care required is akin to that applied in the fields of medicine and aviation where the consequences of a failure are similarly detrimental to public health and safety.

Principle 2: Protection of source water is of paramount importance

Risks to sources of drinking water must be understood, managed and addressed appropriately.

Principle 3: Maintain multiple barriers against contamination

Because no single barrier is effective against all sources of contamination, robust multiple barriers against contamination with appropriate capabilities are needed at each of the following levels: source protection; effective treatment; secure distribution; effective monitoring; and effective responses to adverse signals. A “source to tap” approach is required.

Principle 4: Change precedes contamination

Sudden or extreme changes in water quality, flow or environmental conditions (for example, heavy rainfall, flooding, earthquakes), and change of any kind (for example, personnel, governance, equipment) should be monitored and responded to with due diligence.

Principle 5: Suppliers must own the safety of drinking water

Drinking water suppliers must maintain a personal sense of responsibility at all levels of the organisation for providing consumers with safe water and be able to respond quickly and effectively to adverse monitoring signals.

Principle 6: Apply a preventive risk management approach

The focus must always be on preventing contamination, which requires systematic assessment of risks throughout a drinking water supply from source to tap; identification of ways these risks can be managed; and control measures implemented to ensure that management is occurring properly.

The Inquiry recommended that the six fundamental principles of drinking water safety be recorded and promulgated to the industry and used to inform all recommended reforms, as well as the operation of the entire drinking water system.

The Inquiry’s investigations showed that water suppliers in other parts of New Zealand exhibited the same or similar problems to those at Havelock North. The current drinking water regime is fragmented with many different agencies and persons responsible for various aspects of it. The findings point to a widespread systemic failure among water suppliers to meet the high standards required for the supply of safe drinking water to the public. The industry has demonstrated that it is not capable of itself improving when the standards are not met. Neither has the Ministry of Health, the government body charged with administering the provisions of the Health Act governing drinking water, shown an ability to call the industry to account.

There is currently no adequate or effective enforcement of the statutory obligations on water suppliers. The DWAs are underresourced and have not been able to discharge their statutory responsibilities. The important tool of a Water Supply Plan, as used by water suppliers and monitored and enforced by DWAs, has been ineffective to ensure ownership by water suppliers of the risks around the delivery of safe drinking water to the public.

The core elements of leadership identified by the Inquiry lie with the Director-General and the Ministry of Health. In the Inquiry’s view, the scale and scope of those leadership elements require proper resourcing. The role of Director of Public Health has been inadequately utilised or recognised by the Ministry of Health in relation to drinking water issues in the past and this should change.

The Inquiry recommended that the Ministry, via the DWAs and Medical Officers of Health, should take urgent steps to administer and enforce the existing regulatory regime. Moreover, pending the creation of a drinking water regulator, a Drinking Water Regulation Establishment Unit should be set up to: maintain momentum; facilitate the establishment of a drinking water regulator; and facilitate the hand-over to a drinking water regulator.

The Inquiry’s view is that current knowledge and circumstances call for a much greater level of accountability for drinking water suppliers. It recommends improvements in respect of DWAs and the Health Act, and provision of a dedicated drinking water regulator, together with a licensing and qualifications regime for suppliers to address these aspects of accountability

The full report may be downloaded at:

<https://www.dia.govt.nz/Government-Inquiry-Into-Havelock-North-Drinking-Water>