

9 March 2023

Te Tūāpapa Kura Kāinga – Ministry of Housing and Urban Development  
PO Box 82  
Wellington 6140

Submitted to: methconsultation@hud.govt.nz

Tēnā koe,

**Submission from the Manawātū District Council on the regulation of methamphetamine contamination in rental housing**

Thank you for the opportunity to comment on proposals for regulations to manage methamphetamine contamination in rental housing.

The Manawātū District Council (MDC) supports the intention of the regulations to provide greater certainty in the management of methamphetamine residue in rental housing. However, we have some questions and concerns regarding roles and responsibilities for Councils that we would like the Ministry to respond to.

**Notification of landlords**

Based on the information contained in the discussion document, MDC understands that in the case of an active methamphetamine laboratory, landlords or tenants are directed to call the police immediately. The police are required to notify the property owner and the relevant Council if a laboratory is considered likely. MDC seeks assurance that the notification of Council by the police will be mandatory.

According to the draft regulations, *“if Police or the relevant Council notifies the landlord there was, or it is likely that there was, methamphetamine manufacturing on the premises, the landlord must engage an accredited tester to undertake detailed assessment to determine the nature and extent of the contamination.”* MDC requests that the Ministry clarify in which circumstances or instances it is the responsibility of the Council to notify the landlord rather than the police. Without sufficient certainty there is potential for confusion and miscommunication.

**Keeping of records**

If a Council is notified on an active methamphetamine laboratory, Council will need to keep these records and disclose this information to the property owner upon request. However, it is not clear in the proposal how long Council should hold this information for, and whether it has to be disclosed to prospective purchasers or other parties if requested. For example, should council delete these records from the property file once a property has been decontaminated to 15µg/100cm<sup>2</sup> or less?

## **Decontamination Activities**

The proposed decontamination process (Annex A) advises decontamination contractors to consult with appropriate professions and relevant councils in relation to determining any additional hazards that may be present at a contaminated property before decontamination is completed.

Councils are unlikely to be able to advise on additional hazards without a property site inspection. The regulations should specify how such an inspection is to be carried out, and how councils can recover any costs associated.

### **Flushing of Plumbing traps**

Similarly, section 3.7 of the proposed contamination process (Annex A) requires the checking of plumbing systems to ensure that there are no illegal discharges of sewage to the ground, to surface water, or to storm-water systems. MDC seeks clarification as to whether checks for illegal plumbing systems are to be carried out by council officers or decontamination contractors. The regulations should make it mandatory for any decontamination contractor or other party to notify Council should any illegal plumbing systems be identified.

Section 3.7 also states that in instances where the property is served by an on-site sewage disposal system or an illegal discharge system, councils shall be contacted for instructions prior to flushing traps or disposing of any liquid into the drainage system. MDC supports this requirement.

### **Decisions sought:**

1. That, in the case of an active methamphetamine laboratory, the regulations make it mandatory for the New Zealand Police to notify the relevant local authority.
2. That the Ministry clarify in which circumstances or instances it is the responsibility of the Council to notify the landlord of an active methamphetamine laboratory, rather than the New Zealand Police.
3. That the regulations provide clarity on what records are to be kept for properties that are identified as methamphetamine laboratory, who this information should be disclosed to, and whether records of past contamination become redundant once decontamination has been completed.
4. That the regulations specify how checks of properties containing active methamphetamine laboratories are to be carried out, and how costs incurred by councils can be recovered.
5. That the Ministry clarify who is responsible for carrying out property checks for illegal discharge systems. If this is to be the responsibility of councils, there should be the ability for councils to recover actual and reasonable costs.
6. That the regulations make it mandatory for any decontamination contractor or other party to notify Council, should any illegal plumbing systems be identified.
7. That the requirement to contact Council in instances where the property is served by an on-site sewage disposal system or an illegal discharge system, prior to flushing traps or disposing of any liquid into the drainage system, is retained.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Shayne Harris'.

Shayne Harris  
**Chief Executive**