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**GOVERNMENT INQUIRY INTO HAVELOCK NORTH  
DRINKING-WATER**

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**UNDER THE** **THE INQUIRIES ACT 2013**  
**IN THE MATTER OF** **GOVERNMENT INQUIRY INTO  
HAVELOCK NORTH DRINKING-  
WATER**

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**NOTICE OF APPEARANCE AND MEMORANDUM REQUESTING  
DESIGNATION OF INTERESTED PARTIES AS CORE PARTICIPANTS  
UNDER S 17 OF THE INQUIRIES ACT 2013**

**21 October 2016**

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Next Event Date: Initial hearing 27 October 2016

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**MAY IT PLEASE THE INQUIRY PANEL:**

1. Crown Law represents the Ministry of Health, Ministry for the Environment and the Department of Internal Affairs in relation to the Government Inquiry into Havelock North Drinking Water (the **Inquiry**). The contact details for each organisation are annexed as **Appendix A**.
2. The Ministry of Health, Ministry for the Environment and the Department of Internal Affairs are interested parties in the Inquiry and request to be designated “core participants” under s 17 of the Inquiries Act 2013 (the **Act**).

**Ministry of Health**

3. The Ministry of Health is an interested party in all aspects of the Terms of Reference. In particular, the Ministry of Health will be able to assist the Inquiry by providing information the Ministry holds on the response to the outbreak.
4. The Ministry of Health requests to be designated a “core participant” under s 17 of the Act because:

4.1 The Ministry of Health played a role in the response to the outbreak. It therefore “played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates”, in terms of s 17(2)(a); and

4.2 The Ministry of Health has the statutory function of improving, promoting and protecting public health in New Zealand.<sup>1</sup> Additionally, the Ministry of Health is responsible for the administration of the Health Act 1956, under Part 2A of which drinking water supplies are regulated. It therefore has a “significant interest in a substantial aspect of the matters to which the Inquiry relates”, in terms of s 17(2)(b).

**Ministry for the Environment**

5. The Ministry for the Environment is an interested party and requests full involvement in the Inquiry. At this juncture the Ministry for the Environment

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<sup>1</sup> Health Act 1956, s 3A.

considers it has a particular interest in the following aspects of the Terms of Reference:

- iv. The response by central government agencies and the adequacy of support provided by them at the local level; [...]
  - ix. Any lessons and improvements that can be made to local and central government systems to expedite the identification of public health outbreaks. [...]
  - a. The adequacy of the management of drinking water supplies, the implementation of drinking water standards, contingency planning, preparedness and the response of local and central government agencies;
6. The Ministry for the Environment requests to be designated a “core participant” because it is responsible for the administration of the Resource Management Act 1991, under which the National Environmental Standards for Sources of Human Drinking Water are made. It therefore has a “significant interest in a substantial aspect of the matters to which the Inquiry relates”, in terms of s 17(2)(b).

#### **Department of Internal Affairs**

7. The Department of Internal Affairs is an interested party and requests full involvement in the Inquiry. At this juncture the Department of Internal Affairs considers it has a particular interest in the following aspects of the Terms of Reference:
- iv. The response by central government agencies and the adequacy of support provided by them at the local level; [...]
  - ix. Any lessons and improvements that can be made to local and central government systems to expedite the identification of public health outbreaks. [...]
  - a. The adequacy of the management of drinking water supplies, the implementation of drinking water standards, contingency planning, preparedness and the response of local and central government agencies;
8. The Department of Internal Affairs requests to be designated a “core participant” under s 17(2)(b) of the Act because it is responsible for the administration of the Local Government Act 2002 and for advising the Minister of Local Government. It therefore has a “significant interest in a

substantial aspect of the matters to which the Inquiry relates”, in terms of s 17(2)(b).

**Directions sought**

9. The Ministry of Health, Ministry for the Environment and Department of Internal Affairs request to be designated “core participants” under s 17 of the Act.

21 October 2016



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B R Arapere  
Crown Counsel

This document is filed by Bernadette Roka Arapere.

The address for service is Crown Law, Level 3, Justice Centre, 19 Aitken Street, Wellington 6011. Documents for service may be left at this address for service or may be:

- (a) posted to the solicitor at PO Box 2858, Wellington 6140; or
- (b) left for the solicitor at a document exchange for direction to DX SP20208, Wellington Central; or
- (c) transmitted to the solicitor by facsimile to 04 473 3482; or
- (d) emailed to the solicitor at [bernadette.arapere@crownlaw.govt.nz](mailto:bernadette.arapere@crownlaw.govt.nz)

## Appendix A

Organisation	Contact
Ministry of Health	<p>Phil Knipe Chief Legal Advisor <a href="mailto:phil_knipe@moh.govt.nz">phil_knipe@moh.govt.nz</a> 04 496 2137</p> <p>Sally Gilbert Manager, Environmental and Border Health <a href="mailto:sally_gilbert@moh.govt.nz">sally_gilbert@moh.govt.nz</a> 04 816 4345</p>
Ministry for the Environment	<p>Peter Brunt (Primary Contact) Director, Water Policy <a href="mailto:Peter.Brunt@mfe.govt.nz">Peter.Brunt@mfe.govt.nz</a> 027 498 2332</p> <p>Barry Johnson Manager, Water <a href="mailto:Barry.Johnson@mfe.govt.nz">Barry.Johnson@mfe.govt.nz</a> 027 466 4587</p> <p>Emily Hockly Senior Solicitor <a href="mailto:Emily.Hockly@mfe.govt.nz">Emily.Hockly@mfe.govt.nz</a> 022 066 0295</p>
Department of Internal Affairs	<p>Hiranthi Abeygoonesekera Chief Legal Advisor <a href="mailto:Hiranthi.Abeygoonesekera@dia.govt.nz">Hiranthi.Abeygoonesekera@dia.govt.nz</a> 04 495 6075</p> <p>Mark Scott Senior Solicitor <a href="mailto:Mark.Scott@dia.govt.nz">Mark.Scott@dia.govt.nz</a> 04 494 0626</p>