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11 July 2022

s 9(2)(a)

By email: s 9(2)(a)  
Ref: H202205150

Tēnā koe s 9(2)(a)

### Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act), which was transferred from Southern District Health Board to the Ministry of Health (the Ministry) on 23 June 2022, regarding the breach mentioned on page 92 of the Ministry's *Annual Report on Drinking Water Quality (2020-2021)*. Each part of your request is responded to below.

*"Whether any action has been, or is going to be, taken by the Ministry of Health for the abovementioned breach of the Health Act"*

The local investigating officers have discussed this breach with the Dunedin City Council. It is unlikely that prosecution action would be taken for a one-off breach of section 69Z of the Health Act. The Council co-operated fully with the investigating officers throughout the incident. Please note, this does not necessarily reflect what the Ministry may do in the future.

*"An explanation why no mention, acknowledgement, or reference to this breach was included in the Ministry of Health's "Review of health response into Waikouaiti water supply lead contamination", dated 31 March 2021"*

The review of the health response predated the preparation and publication of the *Annual Report for Drinking Water Quality (2020-2021)*. The review of the health response was an independent review and was not conducted by the Ministry. The scope of the review is clearly articulated in section 1.2, which can be found at: <https://www.health.govt.nz/publication/review-health-response-waikouaiti-water-supply-lead-contamination>

I trust this information fulfils your request. Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: [www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests](http://www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests).

Nāku iti noa, nā

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Graham Cameron  
**Acting Director**  
**Public Health Agency**