



Cabinet

Minute of Decision

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Government Inquiry into Havelock North Drinking Water

Portfolio **Health / Local Government**

On 18 December 2017, Cabinet:

- 1 **noted** that:
 - 1.1 the *Government Inquiry into Havelock North Drinking Water* (the Inquiry) reported its Stage Two findings on 6 December 2017;
 - 1.2 the Inquiry's report makes wide ranging recommendations to improve drinking water standards and infrastructure;
- 2 **agreed** to a two phase approach to respond to the Inquiry's recommendations:
 - 2.1 Phase One: immediate actions to progress:
 - 2.1.1 a statement by the Director-General of Health relating to secure bore water classifications and water suppliers' duties around source water protection, and steps to provide wholesome water (recommendations 3 and 15) [22 December 2017];
 - 2.1.2 update the Drinking Water Standards under urgent provisions (recommendations 4 and 5) [April 2018];
 - 2.1.3 the Ministry of Health to write to all large and medium suppliers who do not have effective water treatment processes to remind them of their obligations under the Health Act 1956 (recommendations 6 and 7) [January 2018];
 - 2.1.4 work with drinking water assessors and the Medical Officers of Health to increase compliance with the Drinking Water Standards, including the provision of advice on issuing non-compliance orders (recommendation 13) [letter by 22 December 2017, teleconference January 2018];
 - 2.1.5 develop guidelines to ensure national consistency in compliance and enforcement (recommendation 14a) [underway, publication in May 2018];
 - 2.1.6 redesign the drinking water annual report to improve monitoring and transparency (recommendation 14b) [underway, publication in July 2018];

- 2.1.7 the Ministry of Health has also established an Expert Drinking Water Advisory Committee in response to a request from the Chair of the Inquiry Panel in August 2017. The Committee has been set up to provide the Director-General of Health with high quality, independent, scientific and technical advice on drinking water quality, and is now being refreshed in response to the Inquiry findings (recommendations 14c and 14d) [underway];
- 2.1.8 the Ministry of Health to undertake discussions with Public Health Unit (PHU) managers around boosting Drinking Water Assessor (DWA) numbers and resources, and simplifying and clarifying accountability for DWAs (recommendations 14e and 14h) [January 2018];
- 2.1.9 suppliers to update water supply plans to include critical control points (recommendation 14i) [in progress];
- 2.1.10 finalise draft guidance materials and accelerate the review of the Drinking Water National Environmental Standard (NES) (recommendation 17) [July 2018];
- 2.1.11 instruct the PHUs to establish a working group for water suppliers and enforcement officers and assessors, along the lines of Hawke's Bay joint working group (recommendation 18) [teleconference in January 2018];
- 2.1.12 officials to scope the options for a risk-appropriate regulatory scheme for New Zealand drinking water and regulatory oversight. This will include work on the design and costs of establishing an independent water regulator (recommendation 9) [progress immediately]. This work will be complemented by work being undertaken by the Three Waters Review on an industry regulator (which concerns the performance of water supply, wastewater and stormwater infrastructure);
- 2.1.13 direct that water safety plans and compliance reports are published, to increase transparency and accountability;
- 2.1.14 establish a drinking water reference laboratory;
- 2.1.15 review the water safety plan framework to make it more consistent with international best practice;
- 2.1.16 establish consistent communication channels between DWAs;
- 2.2 Phase Two: consideration of all remaining recommendations, under the following workstreams:
 - 2.2.1 water treatment;
 - 2.2.2 drinking water regulation;
 - 2.2.3 leadership, transparency and communication;
 - 2.2.4 compliance and enforcement;
 - 2.2.5 drinking water standards;
 - 2.2.6 aggregation of dedicated suppliers;

2.2.7 enhancing 'first barrier protection' through the resource management system;

2.2.8 design and Engineering;

3 **authorised** a group of Ministers comprising the Minister of Finance, Minister of Health, Minister for the Environment and the Minister of Local Government to determine the lead agency and other agencies across government that need to be involved in the work on preparing the government response to the Inquiry's report;

4 **noted** that:

4.1 the Ministers of Health and Local Government will report to Cabinet in February 2018 with an update on progress towards preparing the government response to the Inquiry;

4.2 this update will include progress on Phase One actions and the government's preliminary position on issues considered in Phase Two;

5 **noted** that the government response may accept or reject the recommendations, or note that further work is required;

6 **noted** that the Inquiry did not look into the financial implications of its recommendations, and that these will need to be considered to inform the government response and the funding required;

7 **noted** that any funding required to support the implementation of a government response and funding required may be sought from the between-Budget contingency established as part of Budget 2017;

8 **noted** that any fundamental changes to drinking water systems would benefit from collaborative consultation with the public, local authorities, District Health Boards, Māori and iwi groups, and other water professionals.

Michael Webster
Secretary of the Cabinet

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Prime Minister
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Minister of Health
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Minister of Local Government