

**From:** Information Management Team

**Sent:** Thursday, 14 July 2022 7:28 pm

s7(2)(a)

**Subject:** LGOIMA: Powers Used under the Health Act 1956 (Jan 1st 2020 - Current)

Tēnā koe Geordie

**REQUEST FOR INFORMATION - LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987: ACKNOWLEDGEMENT OF REQUEST**

Thank you for your official information request dated 2 July 2022 for information regarding Hutt City Council's use of the Health Act since 1 January 2020.

*I am writing to request all information you currently hold on what powers have been used by the Council under the Health Act 1956 between the 1st of January 2020 and the day you received this email.*

*I am specifically interested in any documents that relate to the Council's use of powers to enter and inspect any dwelling that they may consider to be unhealthy or a nuisance, and any notice or enforcement made due to the nuisance.*

*If the Council or its contractors have provided notice that a dwelling required work in order to be habitable I would like all information about such notice. This may include the notice itself, supporting evidence for the notice provided, the outcome of the provided notice, and any legal advice sought or received by the council on said notice.*

*I would also like to request any legal advice received by Council in regard to the Health Act 1956 during the aforementioned dates.*

Hutt City Council has not used any powers under the Health Act 1956 since 1 January 2022, to enter and inspect a dwelling. Subsequently no related notices or enforcements have been made. Further, no legal advice has been received by Hutt City Council with regard to the Health Act 1956 during this period.

Accordingly, your request for this information is refused under section 17(g) of the LGOIMA, on the grounds that the Hutt City Council does not hold the information that you have requested, and we have no grounds to believe that the information is held by, or connected more closely with, any other local authority, department, Minister of the Crown or organisation.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that this letter may be published on the Council's website.

Ngā mihi

**Susan Sales**

[Ringa Āwhina Tāhūhū ki Te Koromatua](#) | Senior Advisor

Te Kaunihera o Te Awa Kairangi | Hutt City Council, [30 Laings Road](#), Private Bag 31912, Lower Hutt 5040, New Zealand

**Paetukutuku:** [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

**From:** Geordie Rogers s7(2)(a)  
**Sent:** Saturday, 2 July 2022 5:01 PM  
**To:** [official.information@poriruacity.govt.nz](mailto:official.information@poriruacity.govt.nz); [informationrequests@wcc.govt.nz](mailto:informationrequests@wcc.govt.nz); ContactHCC <[contact@huttcity.govt.nz](mailto:contact@huttcity.govt.nz)>  
**Subject:** [EXTERNAL] LGOIMA: Powers Used under the Health Act 1956 (Jan 1st 2020 - Current)

The following email is made under the Local Government Official Information and Meetings Act 1987. Responses can be returned to s7(2)(a) I may be contacted for further information or questions of clarification at s7(2)(a) or by phone on s7(2)(a)

For the purpose of this email:

- a dwelling refers to any building used for residential purposes (including private rental)
- a nuisance refers to those defined in s29 of the Health Act 1956

Kia ora,

I am writing to request all information you currently hold on what powers have been used by the council under the Health Act 1956 between the 1st of January 2020 and the day you received this email.

I am specifically interested in any documents that relate to the council's use of powers to enter and inspect any dwelling that they may consider to be unhealthy or a nuisance, and any notice or enforcement made due to the nuisance.

If the council or its contractors have provided notice that a dwelling required work in order to be habitable I would like all information about such notice. This may include the notice itself, supporting evidence for the notice provided, the outcome of the provided notice, and any legal advice sought or received by the council on said notice.

I would also like to request any legal advice received by council in regard to the Health Act 1956 during the aforementioned dates.

Thanks so much in advance,  
Geordie



**Geordie Rogers** ([he/him](#))  
President

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