

## Extraordinary Whangarei District Council Meeting Minutes

**Date:** Wednesday, 18 December, 2024  
**Time:** 10:00 a.m.  
**Location:** Civic Centre, Te Iwitahi, 9 Rust Avenue

### In Attendance

His Worship the Mayor Vince Cocurullo

Cr Gavin Benney

Cr Nicholas Connop

Cr Ken Couper

Cr Jayne Golightly

Cr Phil Halse

Cr Deborah Harding

Cr Patrick Holmes

Cr Scott McKenzie

Cr Marie Olsen

Cr Carol Peters

Cr Simon Reid

Cr Phoenix Ruka

Cr Paul Yovich

### Scribe

N. Pestana (Team Leader, Democracy)

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### Administrative matters

- Meeting livestreamed
- Members of the public/press recording
- Supplementary Report - Item 4.1.1

#### 1. Karakia/Prayer

His Worship the Mayor opened the meeting with a prayer.

#### 2. Declarations of Interest / Take Whaipānga

No interests were declared.

#### 3. Apologies / Kore Tae Mai

There were no apologies.

### Extra ordinary business

Subsequent to the agenda being circulated Item 4.1.1 Fluoridation Update – Additional Information was distributed separately but not within the timeframe specified in LGOIMA. Therefore, a resolution of Council is required.

The report has been included to provide additional information to Item 4.1 Fluoride Update.

Council is asked to consider this matter at today's meeting to further inform the discussion.

**Moved By** Cr Nicholas Connop

**Seconded By** Cr Scott McKenzie

That Council consider Item 4.1.1 Fluoridation Update – Additional Information

*On the motion being put Cr Halse called for a division:*

	For	Against	Abstain
His Worship the Mayor		X	
Cr Gavin Benney		X	
Cr Nicholas Connop	X		
Cr Ken Couper	X		
Cr Jayne Golightly		X	
Cr Phil Halse		X	
Cr Deborah Harding	X		
Cr Patrick Holmes	X		
Cr Scott McKenzie	X		
Cr Marie Olsen		X	
Cr Carol Peters	X		
Cr Simon Reid		X	
Cr Phoenix Ruka	X		
Cr Paul Yovich	X		
<b>Results</b>	<b>8</b>	<b>6</b>	<b>0</b>

**The Motion was Carried (8 to 6)**

#### 4.1.1 Fluoridation Update – Additional Information

**Moved By** Cr Nicholas Connop

**Seconded By** Cr Scott McKenzie

That the Council notes the additional information provided.

**Carried**

#### 4. Decision Reports / Whakatauripoata

##### 4.1 Fluoridation Update

**Moved By** Cr Gavin Benney

**Seconded By** His Worship the Mayor

That the Council:

1. Notes the continuation of community water fluoridation direction from the Director-General of Health (Attachment 1) dated 3 December 2024.
2. Notes the information provided with the Director-Generals continuation of community water fluoridation direction including the full Bill of Rights assessment and new information review (contained in Attachments 2-7 of this Agenda item) including the correspondence from New Health NZ dated 16 September 2024 which directly contradicts most of the assumptions made by the Ministry of Health.
3. Notes the 6 December 2024 letter from the Director-General of Health in response to notification of the Council resolution dated 28 November 2024.
4. Instructs the Whangarei Mayor and Chief Executive to write to the Ministry of Health, Minister of Health and Northland members of parliament advising them of this resolution and requesting an extension of the Director-Generals directive until the New Health NZ judicial review against the Director-General is finally decided.
5. That extension is sought on the grounds that there are serious conflicting views of the safety and effectiveness of community water fluoridation.
6. Further notes that Whangarei has never fluoridated their water supply and the last referendum in 2002 was clearly against fluoridation of our water supplies.
7. Alongside that letter, if an extension is not granted by the Director-General, Council seek an urgent interim injunction staying the Director-Generals directive until the New Health NZ judicial review against the Director-General is finally decided.
8. Instruct legal counsel prior to filing the proceedings to seek agreement from the Governor General to stay the directive without the need to file the injunction.
9. The injunction would be sought on the grounds that the potential harm from fluoridation makes it unlawful for the Council to

implement it pursuant to section 23 of the Health Act 1956 and that on the balance of convenience the risk of harm far outweighs any minimal possible benefit to oral health.

10. Appoints Councillor Gavin Benney on a working party with the Whangarei Mayor and Chief Executive to select and brief a law firm in relation to the injunction.

#### Amendment

**Moved By** Cr Nicholas Connop

**Seconded By** Cr Patrick Holmes

That the Council:

1. Notes the continuation of community water fluoridation direction from the Director-General of Health (Attachment 1) dated 3 December 2024.
2. Notes the information provided with the Director-General's continuation of community water fluoridation direction including the full Bill of Rights assessment and new information review (contained in Attachments 2-7 of this Agenda item).
3. Notes the 9 December 2024 letter from the Director-General of Health in response to notification of the Council resolution dated 28 November 2024; and
4. Revokes point 1 of the resolution dated 28 November 2024 that states: *"Resolves to not add fluoride to the Whangarei District's water supplies as required by the directive from the Ministry of Health (MOH)"*.

#### Procedural Motion

**Moved By** Cr Simon Reid

**Seconded By** Cr Paul Yovich

That the amendment now be put.

*On the procedural motion being put Cr Connop called for a division:*

	<b>For</b>	<b>Against</b>	<b>Abstain</b>
His Worship the Mayor		X	
Cr Gavin Benney	X		
Cr Nicholas Connop	X		
Cr Ken Couper		X	

Cr Jayne Golightly	X		
Cr Phil Halse	X		
Cr Deborah Harding	X		
Cr Patrick Holmes	X		
Cr Scott McKenzie		X	
Cr Marie Olsen	X		
Cr Carol Peters	X		
Cr Simon Reid	X		
Cr Phoenix Ruka	X		
Cr Paul Yovich	X		
<b>Results</b>	<b>11</b>	<b>3</b>	<b>0</b>

**The Procedural Motion was Carried (11 to 3)**

*On the amendment being put Cr Connop called for a division:*

	<b>For</b>	<b>Against</b>	<b>Abstain</b>
His Worship the Mayor		X	
Cr Gavin Benney		X	
Cr Nicholas Connop	X		
Cr Ken Couper	X		
Cr Jayne Golightly		X	
Cr Phil Halse		X	
Cr Deborah Harding	X		
Cr Patrick Holmes	X		
Cr Scott McKenzie	X		
Cr Marie Olsen		X	
Cr Carol Peters	X		
Cr Simon Reid		X	
Cr Phoenix Ruka		X	
Cr Paul Yovich	X		
<b>Results</b>	<b>7</b>	<b>7</b>	<b>0</b>

**The Amendment was Tied (7 to 7)**

**His Worship the Mayor did not exercise his casting vote.**

*The meeting adjourned at 11.04am and reconvened at 11.14am.*

Further Amendment

**Moved By** Cr Scott McKenzie

**Seconded By** Cr Phoenix Ruka

That the Council:

1. Notes the continuation of community water fluoridation direction from the Director-General of Health (Attachment 1) dated 3 December 2024.
2. Notes the information provided with the Director-Generals continuation of community water fluoridation direction including the full Bill of Rights assessment and new information review (contained in Attachments 2-7 of this Agenda item) including the correspondence from New Health NZ dated 16 September 2024 which directly contradicts most of the assumptions made by the Ministry of Health.
3. Notes the 6 December 2024 letter from the Director-General of Health in response to notification of the Council resolution dated 28 November 2024.
4. Instructs the Whangarei Mayor and Chief Executive to write to the Ministry of Health, Minister of Health and Northland members of parliament advising them of this resolution and requesting an extension of the Director-Generals directive until the New Health NZ judicial review against the Director-General is finally decided.
5. That extension is sought on the grounds that there are serious conflicting views of the safety and effectiveness of community water fluoridation.
6. Further notes that Whangarei has never fluoridated their water supply and the last referendum in 2002 was clearly against fluoridation of our water supplies.
7. Alongside that letter, if an extension is not granted by the Director-General, Council seek an urgent interim injunction staying the Director-Generals directive until the New Health NZ judicial review against the Director-General is finally decided.
8. Instruct legal counsel prior to filing the proceedings to seek agreement from the Governor General to stay the directive without the need to file the injunction.

9. The injunction would be sought on the grounds that the potential harm from fluoridation makes it unlawful for the Council to implement it pursuant to section 23 of the Health Act 1956 and that on the balance of convenience the risk of harm far outweighs any minimal possible benefit to oral health.
10. Appoints Councillor Gavin Benney on a working party with the Whangarei Mayor and Chief Executive to select and brief a law firm in relation to the injunction.
11. Revokes point 1 of the resolution dated 28 November 2024 that states: *“Resolves to not add fluoride to the Whangarei District’s water supplies as required by the directive from the Ministry of Health (MOH)”*.

On the amendment being put Cr McKenzie called for a division:

	<b>For</b>	<b>Against</b>	<b>Abstain</b>
His Worship the Mayor		X	
Cr Gavin Benney		X	
Cr Nicholas Connop		X	
Cr Ken Couper	X		
Cr Jayne Golightly		X	
Cr Phil Halse		X	
Cr Deborah Harding			X
Cr Patrick Holmes	X		
Cr Scott McKenzie	X		
Cr Marie Olsen		X	
Cr Carol Peters	X		
Cr Simon Reid		X	
Cr Phoenix Ruka	X		
Cr Paul Yovich		X	
<b>Results</b>	<b>5</b>	<b>8</b>	<b>1</b>

**The Amendment was Lost (8 to 5)**

*On the motion being put Cr Holmes called for a division:*

	<b>For</b>	<b>Against</b>	<b>Abstain</b>
His Worship the Mayor	X		
Cr Gavin Benney	X		

Cr Nicholas Connop		X	
Cr Ken Couper		X	
Cr Jayne Golightly	X		
Cr Phil Halse	X		
Cr Deborah Harding		X	
Cr Patrick Holmes		X	
Cr Scott McKenzie		X	
Cr Marie Olsen	X		
Cr Carol Peters		X	
Cr Simon Reid	X		
Cr Phoenix Ruka	X		
Cr Paul Yovich		X	
<b>Results</b>	<b>7</b>	<b>7</b>	<b>0</b>

**The Motion was Carried (7 to 7)**  
**On the casting vote of His Worship the Mayor**

*The meeting adjourned at 12.27pm and reconvened at 12.34pm.  
 Cr Golightly left the meeting at 12.27pm following Item 4.1.  
 Cr Couper did not re-join the meeting immediately following the adjournment.*

#### **4.2 NEST Lease Update**

**Moved By** Cr Simon Reid

**Seconded By** Cr Nicholas Connop

That Council:

1. Notes the forthcoming completion of lease discussions, with a lease for the proposed new facility / standalone agreement being almost ready for consideration under delegation to the Chief Executive.
2. Notes that any lease for the blue hangar will be considered under delegation to the Chief Executive alongside the lease for the new facility and standalone agreement.

**Carried**

#### **5. Public Excluded Business / Rāhui Tangata**

There was no business in public excluded.



**6. Closure of Meeting / Te katinga o te Hui**

His Worship the Mayor closed the meeting at 12.36pm with a prayer.

Confirmed this 27<sup>th</sup> day of February 2025

His Worship the Mayor Vince Cocurullo (Chairperson)