

Extraordinary Whangarei District Council Meeting Minutes

Date: Wednesday, 12 February, 2025
Time: 9:00 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 (Teams)
Cr Simon Reid
Cr Phoenix Ruka
Cr Paul Yovich

Scribe

N. Pestana (Team Leader, Democracy)

Administrative Matters

- Meeting livestreamed
- Members of the public/press recording

1. Karakia/Prayer

His Worship the Mayor opened the meeting with a karakia.

2. Declarations of Interest / Take Whaipānga

No interests were declared.

3. Apologies / Kore Tae Mai

There were no apologies.

4. Decision Reports / Whakatauripoata

4.1 Fluoridation Update – February 2025

Moved By Cr Gavin Benney

Seconded By Cr Simon Reid

That the Council:

1. Notes the advice that has been received regarding a possible injunction/interim relief.
2. Notes the letter from the Director-General of Health dated 30 January 2025.
3. Notes that the local decision-making process has been replaced by the Health Amendment Act 2021 and the subsequent directive by the Director-General of Health.
4. Commence a declaration proceeding to challenge the safety of fluoridating drinking water at the levels of 0.7 to 1.0 ppm.
5. Commence an application for judicial review to challenge the directive of the Director-General of Health to fluoridate drinking water at the levels 0.7 to 1.0 ppm.
6. Seek urgent interim relief.
7. Revokes the resolutions of 18 December 2024 in relation to fluoridation of Whangarei Districts water supply.
8. Despite the revocation of the 18 December 2024 resolution, confirm the instruction of Jeremy Browne, Director of Henderson Reeves lawyers, to represent the council in relation to the proceedings referred to in paragraphs 4-6 above.
9. Instructs the Chief Executive to provide a written response to the Director-General of Health on the result of this meeting.

The meeting adjourned at 9.35am and reconvened at 9.45am.

Cr Couper left the meeting at 9.34am and returned to the meeting at 9.54am.

Amendment

Moved By Cr Deb Harding

Seconded By Cr Paul Yovich

That the Council:

1. Notes the media statement released by NZ First on Tuesday 11th February 2025 to Introduce a Fluoridation Referendum Bill. A

Member's Bill which would restore decision-making power to local communities regarding the fluoridation of drinking water.

2. Notes that the 'Fluoridation (Referendum) Legislation Bill' seeks to repeal the Health (Fluoridation of Drinking Water) Amendment Act 2021 that granted centralised authority to the Director-General of Health and mandated the fluoridation of local water supplies.
3. Notes that NZ First will also amend the Local Government Act 2002 and Health Act 1956 mandating local authorities to hold a binding referendum on water fluoridation.
4. Instructs the Chief Executive to provide a written request to the Director-General of Health to delay water fluoridation for Whangarei until the outcome of the NZ First Members bill – The 'Fluoridation (Referendum) Legislation Bill' is received.
5. If that response is negative by 28 February 2025 – then revokes the resolution of November 28th and 18th December not to add fluoride to WDC water supply and accept the direction of the DG of Health until the outcome of the NZ First Local government amendment is known.

Procedural Motion

Moved By Cr Scott McKenzie

Seconded By Cr Nicholas Connop

That the amendment now be put.

On the procedural motion being put Cr Reid 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		
Results	10	4	0

The Procedural Motion was Carried (10 to 4)

The Amendment was taken in parts.

On Parts 1 – 4 of the Amendment being put Cr Connop 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		
Results	7	7	0

**The Amendment was Lost (7 to 7)
On the casting vote of His Worship the Mayor**

On the motion being put Cr Reid 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	
Results	7	7	0

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

5. Closure of Meeting / Te katinga o te Hui

His Worship the Mayor concluded the meeting at 10.38am with a karakia.

Confirmed this 27th day of February 2025

His Worship the Mayor (Chairperson)