

Date: Tuesday, 30 July 2024

Time: 9.00am

Location: Council Chamber, Third Floor

Office of the Waitaki District Council

20 Thames Street, Oamaru

Agenda Addendum Late Reports

Waitaki District Council Meeting 30 July 2024

Alex Parmley
Chief Executive

Agenda Items

L	Urger	nt Business3
	L.1	Petition "Stop water fluoridation" dated 22 July 2024 - Receipt in principle as a late agenda item
	this C	blic Minutes of previous meetings listed below that were intended to be considered at ouncil Meeting have now been deferred to an Additional Council Meeting sometime in st (date to be confirmed).
	4.1	Public minutes of the Council Hearing (Annual Plan) held on 14 May 2024
	4.2	Public minutes of the Council Deliberations Meeting held on 20 May 2024
	4.3	Public minutes of the Council Meeting held on 28 May 2024
	4.4	Public minutes of the Additional Council Meeting held on 11 June 2024
	4.5	Public minutes of the Council Meeting held on 25 June 2024
	4.6	Public minutes of the Additional Council Meeting held on 11 July 2024
	now b	Public Excluded items that were intended to be considered at this Council Meeting have een deferred to a Public Excluded Session at an Additional Council Meeting sometime just (date to be confirmed). Those items are as follows:
	8.2	Public Excluded minutes of the Extraordinary Council Meeting held on 7 May 2024
	8.3	Public Excluded minutes of the Council Meeting held on 28 May 2024
	8.4	Council Controlled Organisation Director Remuneration Review 2023 PF

L URGENT BUSINESS

L.1 PETITION "STOP WATER FLUORIDATION" DATED 22 JULY 2024 - RECEIPT IN PRINCIPLE AS A LATE AGENDA ITEM

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Alex Parmley, Chief Executive

Attachments: 1. Petition - Stop water fluoridation received 22 July 2024 from Ms

Sherul Black, Oamaru resident

2. Copy Petition clauses from Waitaki District Council Standing Orders

(17.1, 17.2, 17.3)

RECOMMENDATION

That Council:

- 1. Agrees to receive in principle the Petition from Ms Sheryl Black on behalf of petition signatories, with the subject title of "Petition Stop water fluoridation", pursuant to Clauses 17.1 and 17.2 of Waitaki District Council Standing Orders as a late agenda item in the Agenda Addendum to the 30 July 2024 Council Meeting; and
- 2. As a consequence of the Petition being a late agenda item to this meeting, agrees to only receive the Petition in principle and to allow Ms Black to speak to the petition for five minutes during the Public Forum at today's meeting, but to defer consideration of the Petition by Council to the 27 August 2024 Council Meeting where it can be part of the final agenda papers and accompanied by an officer report in the appropriate manner; and
- 3. Agrees that an official response from Council to the Petition as submitted will only be made after it is considered at the 27 August 2024 Council Meeting.

DECISION OBJECTIVE

To receive in principle the Petition dated 22 July 2024 from Petition Organiser Ms Sheryl Black, a Waitaki District resident, with the subject title of "Petition – Stop water fluoridation", as a late agenda item to this meeting and allow the petitioner to speak to the petition at the Public Forum, pursuant to Clauses 17.1 and 17.2 of Waitaki District Council's Standing Orders, for to agree that the Petition is deferred for formal consideration by Council at its 27 August 2024 Council Meeting.

SUMMARY

Ms Sheryl Black – a resident of rural Oamaru – presented a petition to Council's reception desk at Council headquarters on 22 July 2024. It was formally receipted by the Governance Advisor when it reached her on 23 July 2024. The Petition is entitled "Stop water fluoridation". It contains original pages with signatures totalling 166, as stated in Ms Black's cover letter.

There is a formal process governing the form of petitions and how they are to be presented by a petitioner contained in Clauses 17.1 and 17.2 of Waitaki District Council Standing Orders. These are available on Council's website (at the bottom of the Mayor and Councillors' page). The Petition meets the criteria set out in Clause 17.1. However, the Petition was received after the deadline for final agenda papers for the 30 July 2024 Council Meeting so it was not possible for an officer report

to be written to accompany it to this meeting. Pursuant to the latter factor, the Chief Executive and Deputy Mayor have proposed that the petition can be received in principle as a late agenda item at today's Council Meeting (and published in a public Agenda Addendum to facilitate that) and that Ms Black can be allowed to speak to it for five minutes during the Public Forum. However, they have also proposed that the Petition be deferred to the 27 August 2024 Council Meeting for formal consideration, where it can be accompanied by an officer report and allocated a specific agenda item in accordance with usual process. This arrangement has been discussed with Ms Black and she has accepted these arrangements and the reasons for them.

Council has previously received and responded to representations on this topic, including an earlier petition from Ms Black. Council has separately made representations to the Director-General of Health regarding its direction to Council to fluoridate the Oamaru water supply. Council's request for an extension to the compliance deadline was declined by the Director-General and fluoridation of Oamaru's water supply has now commenced. Ms Black has confirmed that she is aware that the fluoridation process has begun.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	To receive in principle a Petition entitled "Stop water fluoridation" as a late agenda item and allow the petitioner to speak to it at this meeting, but to defer the Petition for formal consideration by Council to the 27 August 2024 Council Meeting where it can be accompanied by an officer report
Operational Decision-Making:	To implement the decision of Council
Communications	Media Releases – contributed to by officers and Elected Members
	Media/public enquiries regarding governance decision-making topics above can be addressed by governance
	Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Moderate	Environmental Considerations	Moderate
Legal	Key	Cultural Considerations	No
Significance	No	Social Considerations	Moderate
Financial Criteria	Moderate	Economic Considerations	Moderate
Community Views	Key	Community Board Views	No
Consultation	Moderate	Publicity and Communication	No

BACKGROUND

All petitions to Council from members of the public must meet the requirements of Clauses 17.1 and 17.2 of Waitaki District Council Standing Orders (copy included at Attachment 2). Ms Black's petition, as submitted, meets the Clause 17.1 requirements.

Clause 17.2 of Standing Orders sets out the requirements relating to the presentation of a petition to a local authority. Petitions need to be received or declined at a meeting of the authority. The Chief Executive and the Deputy Mayor, who will Chair the Council Meeting on 30 July 2024, have proposed that Council receive the Petition in principle at this meeting and allow Ms Black to speak to the Petition during the Public Forum pursuant to that clause. However, because the Petition was not able to be included in the final agenda papers for the 30 July 2024 Council Meeting (it was received after the deadline for inclusion), they are proposing that Council defer formal consideration of the Petition until the 27 August 2024 Council Meeting where it will be resubmitted as an agenda item and be accompanied by an officer report.

Related information pertaining to representations to and from the Director-General of Health will be included in the officer report to the 27 August 2024 Council Meeting.

SUMMARY OF OPTIONS CONSIDERED

- Option 1 Council can agree to receive in principle the Petition as a late agenda item to this meeting and to Ms Black speaking to it in the Public Forum, but also agree to defer the Petition for formal consideration at the 27 August 2024 Council Meeting in order to allow time for an officer report to be completed and to accompany the Petition to that meeting (Recommended)
- **Option 2 –** Council can decline to receive in principle the Petition at this meeting, and instead agree to defer it directly to the 27 August 2024 Council Meeting for consideration, including its receipt pursuant to Clause 17.2 of Standing Orders

ASSESSMENT OF PREFERRED OPTION

Option 1 is the preferred option. The Petition meets the requirements of the relevant clause in Standing Orders. However, it was received after the deadline for final agenda papers and therefore could not be accompanied by an officer report for formal consideration at this meeting. Deferring it to a subsequent Council Meeting will enable that officer report to be written and for the Petition to be a formal item on the subsequent Council Meeting agenda for Council's consideration.

Option 2 could be considered if Council felt that it did not want to 'receive in principle' a Petition that will be directed to and considered at a subsequent meeting.

CONCLUSION

Council has received a Petition from a Waitaki resident on behalf of 166 residents who have signed it, which meets the requirements of Standing Orders Clause 17.1 but was received after the deadline for final agenda papers to this meeting. A deferral to the Council Meeting of 27 August 2024 is proposed so that an officer report can be completed and accompany it to that meeting as a formal agenda item. Ms Black has been granted approval by the Deputy Mayor to present the petition at this meeting during the Public Forum. This solution will provide the best available option to Council and to Ms Black to be able to present the Petition in a timely manner at this meeting, but for it to be considered in the appropriate way under an officer report at the 27 August 2024 meeting of Council.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

Waitaki District Council Strategic Framework Community Outcomes related to this matter

Prosperous District

• Fostering a diverse and resilient economy

Strong Communities

- Enabling safe, healthy communities
- Promoting a greater voice for Waitaki

Quality Services

- Robust core infrastructure and services
- Community facilities and services we are proud of

Valued Environment

- Protecting our diverse landscapes and water bodies
- Meeting environmental and climate change challenges

Sheryl Black 42 McLeods Rd RD18c, Oamaru 9491 0272778408 sheryl@blackcontracting.co.nz

22/07/2024

To the Waitaki District Council,

I am presenting a petition by Waitaki Residents. The petition is as follows:



Received by Governance

Governance
Advisor on
behalf of the
Chief Executive
on 23 July 202

Petition - Stop water fluoridation

To the Waitaki District Council: We, the undersigned residents of Waitaki, petition you to refrain from (or cease) adding fluoride chemicals to the Oamaru water supply given that the Director General of Health (1) still has not done the required Bill of Rights Act analysis to consider whether this forced medical treatment is "demonstrably justifiable in a free and democratic society" and (2) has assured the High Court that she is taking an educative approach and has not given any indication that enforcement action would be taken. Justice Radich has noted that, if enforcement action were to be threatened, the most appropriate course would be any council affected to seek interim orders from the Court.

Included are original copies of the petition pages with signatures totalling 166 local people.

Representatives from Fluoride Free Waitaki would like to speak about this petition please at the Council meeting on the 30th of July.

Would you please confirm this speaking spot and the time and duration with me by contacting me by email or phone?

Many thanks,

Sheryl Black

Fluoride Free Waitaki

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Page 7

fluoride chemicals to the Oamaru water supply given that the Director General of Health (1) still has not done the required **To the Waitaki District Council:** We, the undersigned residents of Waitaki, petition you to refrain from (or cease) adding Bill of Rights Act analysis to consider whether this forced medical treatment is "demonstrably justifiable in a free and democratic society" and (2) has assured the High Court that she is taking an educative approach and has not given ar

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Please return completed forms to Sheryl Black (ph 027 277 8408) by 15 July 2024

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Please return completed forms to Sheryl Black (ph 027 277 8408) by 15 July 2024

Petition - Stop water fluoridation

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Please return completed forms to Sheryl Black (ph 027 277 8408) by 15 July 2024

fluoride chemicals to the Oamaru water supply given that the Director General of Health (1) still has not done the required To the Waitaki District Council: We, the undersigned residents of Waitaki, petition you to refrain from (or cease) adding democratic society" and (2) has assured the High Court that she is taking an educative approach and has not given any Bill of Rights Act analysis to consider whether this forced medical treatment is "demonstrably justifiable in a free and indication that enforcement action would be taken. Justice Radich has noted that, if enforcement action were to be threatened, the most appropriate course would be any council affected to seek interim orders from the Court.

Printed name	Signature	Post code	Post code Comment (optional)	Date
Mandy Lambert	Thauly	9494		6-7-24
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Nicole Crabbe	Luelon	9492		6/7/34
Bjorca Gietral		9400		6/7/29
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Printed name	Signature	Post code	Comment (optional)	Date
DUNG VAN ZYL	R	9400		02/07/2024
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16.4 Resolutions

Any debate on a matter raised in a deputation must occur at the time at which the matter is scheduled to be discussed on the meeting agenda and once a motion has been moved and seconded.

17. Petitions

17.1 Form of petitions

Petitions may be presented to the local authority or any of its committees, local boards or community boards, as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least five (5) working days before the date of the meeting at which they will be presented.

Online petitions need to include names, locations and IP or email addresses for all who have contributed to it.

If petitions consistent of online and printed components, the wording of the petition must be the same in each, and both petition components need to be submitted together at one time.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

Petitions (whether online or printed) and any information included with them will be received and considered as public information.

17.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, local boards or community boards, may speak for 5 minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The Chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum, the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least 5 working days before the date of the meeting concerned.

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17.3 Petition presented by member

Members may present petitions on behalf of petitioners. In doing so, members must confine themselves to presenting:

- (a) The petition;
- (b) The petitioners' statement; and
- (c) The number of signatures.

18. Exclusion of public

18.1 Motions and resolutions to exclude the public

Members of a meeting may resolve to exclude the public from a meeting. The grounds for exclusion are those specified in section 48 of LGOIMA (see Appendix 1).

Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present. If the motion is passed, the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

- (a) The general subject of each matter to be excluded;
- (b) The reason for passing the resolution in relation to that matter; and
- (c) The grounds on which the resolution is based.

The resolution will form part of the meeting's minutes.

s. 48 LGOIMA.

18.2 Specified people may remain

Where a meeting resolves to exclude the public, the resolution may provide for specified persons to remain if, in the opinion of the meeting, they will assist the meeting to achieve its purpose. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and is to be of assistance.

No such resolution is needed for people who are entitled to be at the meeting, such as relevant staff and officials contracted to the council for advice on the matter under consideration.

s.48 (6) LGOIMA.

18.3 Public excluded items

The chief executive must place in the public-excluded section of the agenda any items that he or she reasonably expects the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

s.46A (8) LGOIMA.

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4.1 PUBLIC MINUTES OF THE COUNCIL HEARING HELD ON 14 MAY 2024

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Transformation Group Manager

RECOMMENDATION

That Council confirms the Public minutes of the Council Hearing held on 14 May 2024, as circulated, as a true and correct record of that meeting.

These Unconfirmed Minutes have been deferred to an Additional Council Meeting that will be scheduled sometime in August (date to be confirmed).

4.2 PUBLIC MINUTES OF THE COUNCIL DELIBERATIONS MEETING HELD ON 20 MAY 2024

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Transformation Group Manager

RECOMMENDATION

That Council confirms the Public minutes of the Council Deliberations Meeting held on 20 May 2024, as circulated, as a true and correct record of that meeting.

These Unconfirmed Minutes have been deferred to an Additional Council Meeting that will be scheduled sometime in August (date to be confirmed).

Item 4.2 Page 27

4.3 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 28 MAY 2024

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Transformation Group Manager

RECOMMENDATION

That Council confirms the Public minutes of the Council Meeting held on 28 May 2024, as circulated, as a true and correct record of that meeting.

These Unconfirmed Minutes have been deferred to an Additional Council Meeting that will be scheduled sometime in August (date to be confirmed).

Item 4.3 Page 28

4.4 PUBLIC MINUTES OF THE ADDITIONAL COUNCIL MEETING HELD ON 11 JUNE 2024

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Transformation Group Manager

RECOMMENDATION

That Council confirms the Public minutes of the Additional Council Meeting held on 11 June 2024, as circulated, as a true and correct record of that meeting.

These Unconfirmed Minutes have been deferred to an Additional Council Meeting that will be scheduled sometime in August (date to be confirmed).

Item 4.4 Page 29

4.5 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 25 JUNE 2024

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Transformation Group Manager

RECOMMENDATION

That Council confirms the Public minutes of the Council Meeting held on 25 June 2024, as circulated, as a true and correct record of that meeting.

These Unconfirmed Minutes have been deferred to an Additional Council Meeting that will be scheduled sometime in August (date to be confirmed).

Item 4.5 Page 30

4.6 PUBLIC MINUTES OF THE COUNCIL MEETING HELD ON 11 JULY 2024

Author: Ainslee Hooper, Governance and Policy Advisor

Authoriser: Lisa Baillie, People and Transformation Group Manager

RECOMMENDATION

That Council confirms the Public minutes of the Council Meeting held on 11 July 2024, as circulated, as a true and correct record of that meeting.

These Unconfirmed Minutes have been deferred to an Additional Council Meeting that will be scheduled sometime in August (date to be confirmed).

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8 PUBLIC EXCLUDED SECTION

Some of the Public Excluded agenda items intended to be considered at this 30 July 2024 Council Meeting, as listed on page 2 of this Agenda Addendum, have been deferred to an Additional Council Meeting (Public Excluded session) that will be scheduled sometime in August (date to be confirmed).