
Extraordinary Council – Fluoride Tribunal

OPEN MINUTES

Minutes of an extraordinary meeting of the Council held in the Bill Gallagher Events Room 1, Wintec Hub, Anglesea Street, Hamilton on 28, 29 and 30 May and 4 and 5 June 2013 commencing at 9:00am.

PRESENT

Chairperson	Her Worship the Mayor Ms J Hardaker
Deputy Chairperson	Cr G Chesterman
Members	Cr D Bell
	Cr P Bos
	Cr M Forsyth
	Cr R Hennebry
	Cr D Macpherson
	Cr A O’Leary

In attendance: Acting Chief Executive, General Manager City Infrastructure, Programme Manager Policy and Bylaws, Water Operations Manager, Policy Analyst, Senior Support Officer and Committee Advisor.

Committee Secretary: J S Quinn

1. Apologies

There were no apologies.

2. Confirmation of Agenda

Resolved: (Her Worship the Mayor Hardaker/Cr Bell)

The Council to confirm the agenda.

3. Declarations of Interest

Councillors Gallagher, Mahood and Wilson, having declared a conflict of interest in relation to their roles as District Health Board members, removed themselves from this Tribunal.

Councillors Gower and Westphal withdrew from the Tribunal noting that they had previously stated publicly their position regarding fluoridation of Hamilton's water supply.

The above Councillors, having declared a conflict of interest, did not attend the Fluoride Tribunal.

4. Public Forum

There was no public forum.

5. Fluoridation of the Hamilton Water Supply - Hearing Report

Resolved: (Her Worship the Mayor Hardaker/Cr Chesterman)

That:

- a) report be received, and
- b) submitters be thanked for their time and input.

Day 1, Tuesday 28 May 2013

6. Substantive group submissions

Fluoride Action Network and Fluoride Free Hamilton

Presenters:

- Dr Andrew Harms, former president of the South Australian branch of the Australian Dental Association,
- Dr Peter Scanlon (NZ doctor), and
- Dr Lawrie Brett (dentist, Whangarei).

The Fluoride Action Network and Fluoride Free Hamilton group presented for 90 minutes in favour of ceasing to add Fluoride to Hamilton's water supply and then responded to questions from Tribunal members for 30 minutes.

The meeting adjourned for morning tea (11:05am-11:20am).

Waikato District Health Board (WDHB)/Ministry of Health (MoH)

Presenters:

- Craig Climo; Waikato DHB, CEO,
- Rudi Johnson (Downs) Te Ao Marama – President, Dentist BOPDHB,
- Albert Kewenem; Ruakura Hauora O Tainui - Dental Services, Senior Dentist,
- Graham Jull; Waikato DHB, Dental Services,
- Rob Aitken; Waikato DHB, Chief Dental Officer,
- Robin Whyman; NFIS, Advisor,
- Robyn Haisman-Welsh; Ministry of Health, Chief Dental Officer,
- Chris Nokes; Water scientist ESR,
- Pat Touhy; Ministry of Health, Chief Advisor Child Health,
- Felicity Dumble; Waikato DHB, MoH.

The WDHB/MoH group presented for 90 minutes in favour of maintaining the status quo, that Council continue to add Fluoride to Hamilton's water supply, and then responded to questions from Tribunal members for 30 minutes.

The meeting adjourned for lunch (1:15pm-2:00pm).

7. Individual/organisation submissions

Elizabeth Err (submission 1097) (The Awareness Party) presented in favour of stopping fluoridation.

David Haszard (submission 909) (Oral Health Advisor and Approving Dental Officer to Waikato DHB) presented in favour of continuing fluoridation.

Mark Atkin (submission 946) (NZFIS/FLNZ) presented in favour of *stopping* fluoridation.

Will Moore and Paul Wedel (submissions 141) presented in favour of *stopping* fluoridation.

Mr Brian Burkhart (submission 1691) presented in favour of *continuing* fluoridation.

Dr Andrew MacKie (submission 250) presented in favour of *continuing* fluoridation.

Hayden Alward (submission 281) presented in favour of *stopping* fluoridation.

Dennis McLeod (submission 108) presented in favour of *continuing* fluoridation.

Philippa Oxlade (submission 1343) presented in favour of *stopping* fluoridation.

Stef Holmes (submission 746) presented in favour of *stopping* fluoridation.

Peter Roberts (submission 750) presented in favour of *stopping* fluoridation.

The meeting adjourned for the day (3:25pm).

Day 2, Wednesday 29 May 2013

The meeting reconvened at 9:05am with seven Councillors present. Councillor Chesterman absent. Peter Seward on behalf of Gavin Ion (submission 1072), representing Waikato District Council, presented in favour of *continuing* fluoridation.

Councillor Chesterman (9:10am) joined the meeting.

Declan Waugh (submission 282) presented in favour of *stopping* fluoridation.

Steven Pawley (submission 959) presented in favour of *continuing* fluoridation.

Mary Byrne (submission 877), representing Fluoride Free Wellington and Wairarapa, presented in favour of *stopping* fluoridation.

Heather Howes (submission 537), representing Health Freedom New Zealand, presented in favour of *stopping* fluoridation.

Dr Selwyn June (submission 1674) presented in favour of *continuing* fluoridation.

Barry Cope (submission 1036), representing Grey Power, presented in favour of *stopping* fluoridation.

Sue McFarlane (submission 254), representing NZDOHTA, presented in favour of *continuing* fluoridation.

The meeting adjourned for morning tea (10:45am-11:00am).

Dr Alan Isaac (submission 968) presented in favour of *continuing* fluoridation.

Caroline McKenzie (submission 547), representing Patients Rights Advocacy Waikato Incorporated, presented in favour of *stopping* fluoridation.

Glenda Smith (submission 779) presented in favour of *continuing* fluoridation.

Dr Jane Beck (submissions 974 & 1068), representing Fluoride Free Thames, presented in favour of *stopping* fluoridation.

Nigel McCarter (submission 928) presented in favour of *continuing* fluoridation.

Libby Boyd (submission 1666) presented in favour of *stopping* fluoridation.

Pat McNair (submission 1667), representing Fluoride Free Hamilton, presented in favour of *stopping* fluoridation.

Libby Boyd on behalf of Francine Jensen (submission 957) presented in favour of *stopping* fluoridation.

The meeting adjourned for lunch (12:45pm-1:20pm).

Dr Chad Esaiiah on behalf of Valarie Ditterich (submission 176) presented in favour of *stopping* fluoridation.

Dr Anna Goodwin, in her own right and then on behalf of Robyn Hembry (submissions 918 and 1675), presented in favour of *stopping* fluoridation.

Katherine Smith, representing the NZ Journal of Natural Medicine (submission 1671) presented in favour of *stopping* fluoridation.

Jonathan Eisen (submission 152) presented in favour of *stopping* fluoridation.

Shaun O'Brien (submission 1671), Barry McNair (submission 1634) and Richard McNair (submission 1665) jointly presented in favour of *stopping* fluoridation.

Jill Masters (submission 1078) presented in favour of *stopping* fluoridation.

David Menkes (submission 1083) presented in favour of *stopping* fluoridation.

The meeting adjourned for afternoon tea (3:10pm-3:35pm).

Keith Sharrock (submission 1104) presented in favour of *stopping* fluoridation.

Mischele Rhodes (submission 1691) presented in favour of *stopping* fluoridation.

Dorothy J Miller (submission 305) presented in favour of *stopping* fluoridation.

Lauren Scott (submission 208) presented in favour of *stopping* fluoridation.
Michael Ross Kenney (submission 359) presented in favour of *stopping* fluoridation.

Councillor Bos retired from the meeting 4:00pm.

Kane Titchener (submission 853) presented in favour of *stopping* fluoridation.
Julie Dirks (submission 422) presented in favour of *stopping* fluoridation.
Alan (Tom) McRae (submission 1653) presented in favour of *stopping* fluoridation.
Lynley Rice (submission 535) presented in favour of *stopping* fluoridation.
Alexia Hanlon (submission 1184) presented in favour of *stopping* fluoridation.
Colin Hanlon (submission 1187) presented in favour of *stopping* fluoridation.
Sue McGovern (submission 379) presented in favour of *stopping* fluoridation.
Greg Oosterbaan (submission 1064) presented in favour of *stopping* fluoridation.
Damen Pitiroi (submission 809) presented in favour of *stopping* fluoridation.

The meeting adjourned for the day (4:35pm).

Day 3, Thursday 30 May 2013

The meeting reconvened at 9:05am with eight Councillors present.

Dr Frank Rawson on behalf of Heather Smith (submission 690) presented in favour of *stopping* fluoridation.

Rob Hamill on behalf of Moira Turner (submission 691) presented in favour of *stopping* fluoridation.

Michael Godfrey (submission 162) presented in favour of *stopping* fluoridation.

Erik Blankenbyl (submission 961) presented in favour of *stopping* fluoridation.

Paul Connett (submission 648) presented in favour of *stopping* fluoridation.

Bessie Amner (submission 1101) presented in favour of *stopping* fluoridation.

Lois Titchener (submission 1) presented in favour of *stopping* fluoridation.

Cynthia Campbell (submission 686) presented in favour of *stopping* fluoridation.

Brent Phillips (submission 1040) presented in favour of *stopping* fluoridation.

The meeting adjourned for morning tea (10:40am-10:55am).

Marama Waddell (submission 109) presented in favour of *stopping* fluoridation.

Christine Cave (submission 493) presented in favour of *stopping* fluoridation.

Brett Murphy (submission 881) presented in favour of *stopping* fluoridation.

Susan McNair (submission 24) presented in favour of *stopping* fluoridation.

Robyn Jackson (submission 62) presented in favour of *stopping* fluoridation.

Russelle Knapp (submission 661) presented in favour of *stopping* fluoridation.

Rachael Wood on behalf of Paul Wood (submission 74) presented in favour of *stopping* fluoridation.

The meeting adjourned for lunch (12:00pm-1:15pm).

Siggi Henry (submission 731) presented in favour of *stopping* fluoridation.

Tui Shan-Thomas (submission 685) presented in favour of *stopping* fluoridation.

Yvonne McDonald on behalf of Netta Christian (submission 345) presented in favour of *stopping* fluoridation.

Grant Pearse (submission 744) presented in favour of *stopping* fluoridation.

Dr Robert Mann (submission 866) presented in favour of *stopping* fluoridation.

John Jukes (submission 886) presented in favour of *stopping* fluoridation.

Phil Evans (submission 920) presented in favour of *stopping* fluoridation.

Alan Bainbridge (submission 933) presented in favour of *stopping* fluoridation.

Roger Stratford (submission 360) presented in favour of *stopping* fluoridation.

Trevor Crosby (submission 1677) presented in favour of *stopping* fluoridation.

Gus Hastie (submission 981) presented in favour of *stopping* fluoridation.

David Smith (submission 1642) presented in favour of *stopping* fluoridation.

The meeting adjourned for afternoon tea (3:05pm-3:20pm).

Robyn Russell (submission 1044) presented in favour of *stopping* fluoridation.

Gray Chapman (submission 966) presented in favour of *stopping* fluoridation.

Malibu Hamilton (submission 1081) presented in favour of *stopping* fluoridation.

Geraldine Pene (submission 751) presented in favour of *stopping* fluoridation.

The meeting adjourned due to a lack of available submitters (3:55pm-3:20pm).

Ted Ninnes (submission 1692) presented in favour of *stopping* fluoridation.

The meeting adjourned for the day (4:35pm).

Day 4, Tuesday 4 June 2013

The meeting reconvened at 9:05am with seven Councillors present. Her Worship the Mayor Hardaker was absent (on Council business).

Don Frommherz (submission 763) presented in favour of *stopping* fluoridation.

Donna Tito (submission 1636) presented in favour of *stopping* fluoridation.

Pat McNair on behalf of Patricia Johnston (submission 687) presented in favour of *stopping* fluoridation.

Margaret Parry (submission 40) presented in favour of *stopping* fluoridation.

Pat McNair on behalf of Janine Unwin (submission 55) presented in favour of *stopping* fluoridation.

The meeting adjourned for morning tea (10:00am-10:30am).

Her Worship (10:30am) joined the meeting during the above recess.

Avis Lesson (submission 1661) presented in favour of *stopping* fluoridation.

Deborah Parker (submission 1465) presented in favour of *stopping* fluoridation.

Min Hyong Lee (submission 530) presented in favour of *stopping* fluoridation.

Paula Salisbury (submission 1082) presented in favour of *stopping* fluoridation.

Rowena Kaleopa (submission 992) presented in favour of *stopping* fluoridation.

Denise Davis (submission 998) presented in favour of *stopping* fluoridation.

Peter Archer (submission 844) presented in favour of *stopping* fluoridation.

Paul Wood (submission 74) presented in favour of *stopping* fluoridation.

The meeting adjourned for lunch (11:40am-1:30pm).

Councillor Macpherson (11:40am) retired from the meeting during the lunch recess.

Marea Smith (submission 970) presented in favour of *stopping* fluoridation.

This brought an end to the individual and group submissions.

Councillor Macpherson (11:40am) retired from the meeting during the adjournment.

8. Substantive group questions and summation

Fluoride Action Network and Fluoride Free Hamilton

Presenters:

- Dr Peter Scanlon (NZ doctor),
- Dr Jane Beck (Fluoride Free Thames),
- Dr Anna Goodwin (Specialist Oncologist), and
- Dr Robert Mann (retired Senior Lecturer in Biochemistry and Environmental Studies).

The Fluoride Action Network and Fluoride Free Hamilton group responded to questions from Tribunal members for 30 minutes and then provided a summation presentation of their case against the addition of Fluoride to Hamilton's water supply.

Councillor Macpherson (2:35pm) rejoined the meeting at the conclusion of the above summation presentation.

Waikato District Health Board (WDHB)/Ministry of Health (MoH)

Present for questions:

- Dr Rob Aitken (Principal Dental Officer, WDHB),
- Dr Robyn Haisman-Welsh (Chief Dental Officer, Oral Health, MoH),
- Dr Chris Nokes (Consortium Partner, National Fluoridation Information Service),
- Jill Dibble (Group Manager, Rural & Community Services, WDHB),
- Tracy Jackson (Waikids, Nurse Coordinator, WDHB),
- Dr Pat Tuohy (Chief Advisor Child Health, MoH), and
- Joan Woodham (Health Promoter, Population Health, WDHB).

Present for summation presentation:

- Dr Felicity Dumble (Medical Officer of Health, WDHB),
- Dr Richard Vipond (Public Health Medicine Registrar, WDHB), and
- Dr Natasha Murray (Public Health Medicine Registrar, WDHB).

The MDHB/MoH group responded to questions from Tribunal members for 30 minutes and then provided a summation presentation of their case for continuing the addition of Fluoride to Hamilton's water supply.

This drew to an end the submissions section of the Tribunal held at the Gallagher Hub at Wintec.

The meeting adjourned for the day (3:40pm).

Day 5, Wednesday 5 June 2013

The meeting reconvened in the Council Chamber at 9:30am with eight Councillors present.

Her Worship the Mayor Hardaker thanked submitters for their time over the past four days and staff for organising the Tribunal process.

A motion and amendment were moved and seconded. Elected Members then discussed options for what to do with the \$48,000 per annum that would be saved from the Annual Plan budget, should the addition of Fluoride to Hamilton's water supply be ceased.

Elected Members then debated the motion and amendment, which were then put.

Motion: (Her Worship the Mayor Hardaker/Cr Chesterman)

That:

- a) the report dated 5 June 2013 is received,
- b) the Council stops adding fluoride to Hamilton's water supply effective from the date current stocks on hand have been used, that date expected to be no later than Friday 21 June 2013,
- c) a decision on whether the cost savings made by this decision are applied to other council services is to be made at the Annual Plan deliberations on Thursday 6 June,
- d) the Fluoridation of the Hamilton Water Supply Policy is deleted,
- e) information is included in the next rates notice (July) advising ratepayers of the Council's decision and providing information about how to access safe use of fluoride, including a link to the Ministry of Health website,

- f) the Council decision is featured in the next City News along with advise on Ministry of Health or WDHB recommended dental health options, and
- g) the Minister for Health be advised of the Council's decision, including the cost of the Tribunal process, and expressing this Council's view that:
 - (i) Central government is responsible for providing health services and the decision about whether to fluoridate drinking water or not, is a decision for central government not local government.

Amendment: (Crs Macpherson/Hennebry)

That:

- a) the report dated 5 June 2013 is received,
- b) the Council stops adding fluoride to Hamilton's water supply effective from the date current stocks on hand have been used, that date expected to be no later than Friday 21 June 2013,
- c) the \$48,000 saved from discontinuing the fluoridation of Hamilton's water supply be applied, in the 2013/14 and 2014/15 financial years, to increase the WDHB's current dental health education and intervention in early childhood and schools programmes, and that ongoing financial support for these programmes be considered through the next Long Term Plan.
- d) the Fluoridation of the Hamilton Water Supply Policy is deleted,
- e) information is included in the next rates notice (July) advising ratepayers of the Council's decision and providing information about how to access safe use of fluoride, including a link to the Ministry of Health website,
- f) the Council decision is featured in the next City News along with advise on Ministry of Health or WDHB recommended dental health options, and
- g) the Minister for Health be advised of the Council's decision, including the cost of the Tribunal process, and expressing this Council's view that:
 - (i) Central government is responsible for providing health services and the decision about whether to fluoridate drinking water or not, is a decision for central government not local government.

The Amendment was then put.

Those for the Amendment: Councillors Hennebry and Macpherson.

Those against the Amendment: Her Worship the Mayor Hardaker,
Councillors Bell, Bos, Chesterman,
Forsyth and O'Leary.

The Amendment was declared lost.

The Motion was then put.

Those for the Motion:

Her Worship the Mayor Hardaker,
Councillors Bell, Chesterman, Forsyth,
Hennebry, Macpherson and O'Leary.

Those against the Motion:

Councillor Bos.

The Motion was declared carried.

The meeting was declared closed at 10:15am.