



**Far North  
District Council**



# **TŪHONOTANGA MINITI ATTACHMENTS MINUTES**

**Ordinary Council Meeting**

**11 April 2024**

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# Te Paeroa Kaupapa / Table of Contents

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Attachment 1	Hierarchy of Competing Obligations Re Fluoride In Drinking Water For FNDC .....	3
Attachment 2	Nick Smith letter to Shane Reti .....	4
Attachment 3	Letter to Reti re Fluoridation Directive.....	6
Attachment 4	Financial Costs of Fluoridation April 8.....	8
Attachment 5	270325 FNDC letter to seek extension of Fluoridation deadline.docx .....	10



**HIERARCHY OF COMPETING OBLIGATIONS RE FLUORIDE IN DRINKING WATER FOR FNDC**

REASONS FOR ADDING FLUORIDE TO COMMUNITY DRINKING WATER	REASONS FOR NOT ADDING FLUORIDE TO COMMUNITY DRINKING WATER
<p>1. <b>Directive from the Director-General</b> of Health instructing names councils to add fluoride based on claims it has medicinal benefits for teeth                      NB: High Court ruled the directive was unlawful in November 2023 due to the DG's failure to consider how it reconciled with NZ Bill of Rights</p> <p>2. <b>Coercion/Threat/fear of prosecution</b> of Councils by Director General of Health.</p> <p>3. <b>Hope that fluoride might benefit some</b> toddlers teeth- but research is unclear and ongoing.</p> <p><b>IMPORTANT</b></p> <p>The stated reason for adding fluoride to public drinking water is as a medicine/treatment for toddlers' teeth.</p> <p>If the FNDC is really serious about reducing tooth decay for our most disadvantaged tamariki, we should implement here the very successful and cost effective CHILDSMILE program where every day after lunch, children practice brushing their teeth to teach the best techniques and learn early about the role of sugar and processed foods in oral health.</p> <p>Treating with a medication without informed consent triggers numerous Bill of Rights and other obligations, including duties in relation to consultation, medical treatment, human rights and obligations in relation to environmental protection and discharges.</p>	<ol style="list-style-type: none"> <li>1. <b>The directive was unlawful</b> <i>Refer New Health v Min Health</i> [2023] NZHC</li> <li>2. <b>Any benefit is minimal- much better alternatives</b> include brushing teeth/good hygiene, fluoridated toothpaste/fluoride tablets</li> <li>3. <b>In 2010 Far North residents were against fluoridation</b> and FNDC Councillors voted unanimously to refrain from adding fluoride chemicals to the water. <b>There has not been any consultation since then.</b></li> <li>4. <b>Public health risks</b> - fluoride is a neurotoxin, overdosing of bottle-fed babies, tea drinkers, and harm to those with autoimmune disorders</li> <li>5. <b>Fluoride is an experiment on our communities</b>- without informed consent. Research is ongoing but to date indicates any benefit to toddlers teeth, is minimal but it has a neurotoxic effect</li> <li>6. There are many more effective ways of protecting teeth eg tooth brushing/hygiene, early access to good dentists and dental hygienists, healthy diet, less sugar etc - the ChildSmile program.</li> <li>7. Only healthcare providers can lawfully provide medical treatment AND must comply with fiduciary and professional obligations.</li> <li>8. <b>Health &amp; Disabilities Code of Patient Care</b> - requires informed consent and discussion of risks, uncertainties and alternatives as well as benefits</li> <li>9. <b>Treatment without informed consent is criminal</b> and creates ACC treatment injury claims</li> <li>10. <b>Health and Safety at Work</b> - obligations to identify and avoid risks</li> <li>11. <b>Lack of consultation with affected communities</b> - in breach of Local Government Act expectations and social licence required for councils</li> <li>12. <b>Additional cost to fluoridate</b> - Fluoridating the Kerikeri and Kaitiāia plants would add another \$42,000 annual council operating cost on top of the initial capital outlay. (According to FNDC manager infrastructure operations Glenn Rainham said in an <a href="#">RNZ article dated 29 January 2023</a>)</li> <li>13. The source of the fluoride is from industrial waste and it contains other toxic contaminants ad well as fluoride</li> <li>14. Contamination of the receiving environment with toxic fluoride and other contaminants, creating RMA breaches.</li> <li>15. <b>Fiduciary obligations and duty of care owed by council to community</b> and as provider of medical treatment</li> <li>16. Fair Trading Act prohibits misleading &amp; deceptive claims</li> <li>17. Public interest defences to criminal charges - Crimes Act s20 protects common law justifications and excuses, also s48 (self defence and defence of others)</li> <li>18. <b>NZ Bill of Rights and International Covenant on Civil and Political Rights</b> (ICCPR) - Some rights are absolute even in an emergency. The key human right being:                         <ol style="list-style-type: none"> <li>a. Right to decline medical &amp; scientific experimentation medical treatment</li> </ol> </li> </ol>



















