

From: Official Information
To: 7(2)(a)
Cc: Official Information
Subject: Final Response (Part 2) - LGOIMA 280914 - 7(2)(a) - Council's ownership structure, and the addition of fluoride to Council's water supply.
Date: Friday, 14 October 2022 1:25:39 pm
Attachments: image007.png
image008.png
image009.png
image010.png
image011.png
image012.png
image013.png
Importance: High

Kia Ora,

I refer to your **information request below**, Hamilton City Council is able to provide the following response.

Further questions for Part 1:

1. I note upfront that you have provided a reply to question one, but it does not answer question one. For example HCC might be registered or listed with a company number/corporation identification either in NZ or abroad. Can you please confirm whether or not this is the case?
2. In question two, are you stating that Hamilton City Council does not report to anyone else except its local geographical communities and NZ government appointed officials such as auditor general and ombudsman?
3. Question three, can you also confirm if HCC is or is not owned in any sense by any corporate or private entities.

Our Response to the further questions for Part 1:

1. No. Hamilton City Council is not registered or listed with a company number / corporate identification here in New Zealand nor abroad. As previously stated Hamilton City Council (like all city, district and regional councils in New Zealand) is a territorial authority (i.e. a governing body) and body corporate with perpetual succession (refer section 12 Local Government Act 2002) constituted under the Local Government (Waikato Region) Reorganisation Order 1989 and has continued to exist as a creature of statute since that date.
2. Yes. You can find more information online about local government in general on the DIA website [here](#) and the LGNZ website [here](#).
3. No. Hamilton City Council is not owned by any corporate or private entities.

Your Request Part 2:

Please confirm if Hamilton City Council residential water supply does or does not contain HFA (hydrofluosilicic acid) and if therefore the water potentially contains traces of lead, arsenic, mercury and/or cadmium.

Assuming the answer is yes, I advise that I do not wish to pay for water through my rates that is treated with fluoride (as HFA), but demand to receive water as nature intended. It is expensive and difficult to remove the added fluoride from water or to use alternative sources, I advocate that fluoride supplements be supplied for free where demand exists and that Hamilton City Council cease treating our municipal water supply with fluoride/HFA. If dental health is the reason for fluoride dosing, please approach this at the consumer point (supermarkets, fast food outlets, etc.) rather than medicating the water for all.

Our Response part 2:

We can confirm that HFA (Hydrofluosilicic acid) is added to Hamilton City Council's water supply.

Hamilton's water supply is routinely tested for a range of determinands including Lead, Arsenic, Mercury and Cadmium. Please find attached a summary of monitoring results obtained for Lead, Arsenic, Mercury and Cadmium completed during the past 7 year period in Hamilton's water supply source (Waikato River) and in Hamilton's treated water.

Trace Metal	Waikato River at Waiora Treatment Plant Intake	Hamilton's Treated Water	DWSNZ Maximum Acceptable Value (MAV) mg/L	Lab Detection limit mg/L
Lead – quarterly monitoring	30 samples taken 17 Below Detection Limit 13 samples with detectable levels ranging from 0.00011-0.00140 mg/L	31 samples taken 28 Below Detection Limit 3 samples with detectable levels ranging from 0.00011-0.0049 mg/L	0.01	0.00011
Arsenic – monthly monitoring	95 samples, all above detection limit Min – 0.0032 mg/L Max – 0.0760 mg/L Average – 0.0218 mg/L	95 samples taken 32 Below Detection Limit 63 samples with detectable levels ranging from 0.0011- 0.0060 mg/L	0.01	0.0011
Mercury – 6 monthly	20 samples all Below Detection Limit	21 samples all Below Detection Limit	0.007	0.00008
Cadmium – 6 Monthly	20 samples all Below Detection Limit	21 samples all Below Detection Limit	0.004	0.000053

All monitoring completed in the past 7 years for the trace metals; Lead, Arsenic, Mercury and Cadmium in Hamilton's treated water supply have either been undetectable or at levels well below the maximum acceptable values specified in the current Drinking Waters Standards of New Zealand 2005 (revised 2018) and the new Water Services (Drinking Waters Standards for New Zealand) Regulations 2022 which come into effect on 14 November 2022.

The [Health \(Fluoridation of Drinking Water\) Amendment Act 2021](#) shifted decision-making on fluoridation from local authorities to the Director-General of Health. The change allows for a nationally consistent approach to community water fluoridation based on its well-established health benefits. Local authorities will be required to fluoridate a water supply if directed to do so by the Director-General of Health. Those already fluoridating are required to continue to do so.

This means that the decision to fluoridate water is not within the control of Hamilton City Council. More information on the Director-General of Health's role in decision-making on the fluoridation of drinking-water supplies can be found [here](#).

In response to your advice that you do not wish to pay for water through my rates that is treated with fluoride (as HFA), but demand to receive water as nature intended

The power of Local Authorities to charge rates is a statutory power granted and governed by the provisions of the Local Government Act 2002 and the Local Government (Rating) Act 2002. As previously advised to you on 5 September 2022 by our rates team, no part of your rates is optional, or is based on the actual use of any particular Council service. We have no ability to reduce that amount of your rates due to your concerns about fluoride in the water supply.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](#) or freephone 0800 802 602.

Kind Regards,

Laura | Official Information Coordinator
Governance & Assurance Team | People and Organisational Performance
Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [Hamilton City Council](#)

From: 7(2)(a)
Sent: Sunday, 2 October 2022 12:10 pm
To: Official Information <officialinformation@hcc.govt.nz>
Subject: Re: Final Response (Part 1) - LGOIMA 280914 - 7(2)(a) - Council's ownership structure, and the addition of fluoride to Council's water supply.

Hi Laura,

Thanks for your reply.

I note upfront that you have provided a reply to question one, but it does not answer question one. For example HCC might be registered or listed with a company number/corporation identification either in NZ or abroad. Can you please confirm whether or not this is the case.

In question two, are you stating that Hamilton City Council does not report to anyone else except its local geographical communities and NZ government appointed officials such as auditor general and ombudsman?

Question three, can you also confirm if HCC is or is not owned in any sense by any corporate or private entities.

I await your other responses on the water also.

Kind regards,

7(2)(a)

From: Official Information <officialinformation@hcc.govt.nz>
Date: Friday, 30 September 2022 at 1:01 PM
To: 7(2)(a)
Cc: Official Information <officialinformation@hcc.govt.nz>
Subject: Final Response (Part 1) - LGOIMA 280914 - 7(2)(a) - Council's ownership structure, and the addition of fluoride to Council's water supply.

Kia Ora,

I refer to your **information request below**, Hamilton City Council is able to provide the following response. We would like to note that, per the email sent to you on 05 September 2022 below, the part of your original request concerning rates has already been responded to by the Hamilton City Council Rates manager. Therefore the official information team will be responding to the remaining parts of your request.

Your request 1

Please provide clarification on the following questions:

1. is Hamilton City Council (as opposed to the City of Hamilton) is a corporate entity
2. who does it report to (apart from residents and ratepayers), and

3. if separate, who owns Hamilton City Council?

Our response 1

1. Hamilton City Council (like all city, district and regional councils in New Zealand) is a territorial authority (i.e. a governing body) and body corporate with perpetual succession (refer [section 12 Local Government Act 2002](#)) constituted under the Local Government (Waikato Region) Reorganisation Order 1989 and has continued to exist as a creature of statute since that date. All local authorities operate under an enabling statutory framework that sets out what they can and cannot do. The main legislation is the [Local Government Act 2002](#). The Local Government Act 2002 provides the framework and powers for local authorities to decide which activities they undertake on behalf of the community, the manner in which they will undertake them, and how they are to be funded. However, there are numerous other pieces of legislation under which councils have powers and duties – such as the [Local Government \(Rating\) Act 2002](#), [Building Act 2004](#) and [Resource Management Act 1991](#).
2. Councils do not 'report' to anyone in the ordinary sense. Councils are accountable to their communities (through [Long Term Plans](#), [Annual Plans](#) and [Annual Report](#) processes). Councils are also audited by the [Office of the Auditor General](#), and there are other bodies who have some oversight powers of parts of council process, for example the [Ombudsman](#). You can find more information online about local government in general on the DIA website [here](#) and the LGNZ website [here](#).
3. No one 'owns' Hamilton City Council.

Extension of time required for part 2 of request

Unfortunately we will need to request an extension to provide the remaining parts of your request concerning the Hamilton City Council residential water supply. As your request necessitates a search through a large quantity of information and meeting the original time limit would unreasonably interfere with our operations. Therefore we will require some further time to allow us to provide the remaining information to you. We aim to have responded to all parts of your request no later than 14 October 2022.

We apologise for the delay this extension will cause and if you wish to discuss any aspect of your request with us, including this decision, please feel free to contact us.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](#) or freephone 0800 802 602.

Kind Regards,

Laura | Official Information Coordinator
Governance & Assurance Team | People and Organisational Performance
Email: officialinformation@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | [Hamilton City Council](#)

From: Revaluation <Revaluation@hcc.govt.nz>
Sent: Monday, 5 September 2022 3:58 pm
To: 7(2)(a)
Cc: official information <officialinformation@hcc.govt.nz>
Subject: RE: RATES: 7(2)(a) Huntington

H 7(2)(a)

Thank you for your email.

I will answer some of your rates questions now, but have also CC'd our Official Information Team so this can be treated as a LGOIMA request (Local Government Official Information and Meetings Act). You will then receive a separate reply to your other questions about Council's ownership structure, and the addition of fluoride to Council's water supply.

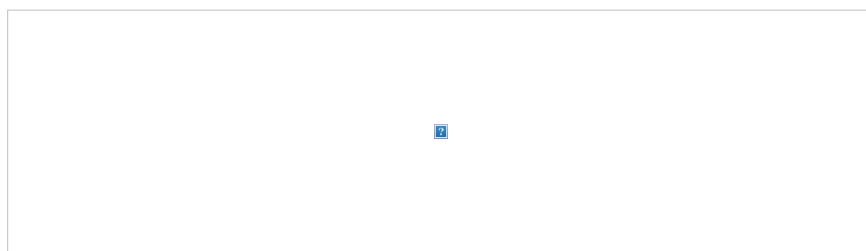
Rating Valuations

Whenever a Notice of Rating Valuation is issued there is a period where you may lodge a valuation objection to have your property value reviewed by a valuer. For the city-wide valuation this period closed off on the 8 June 2022. Every property in the city is valued as at 1 September 2021, so it is important to note that changes to the property market after this time cannot be considered.

There is a process to have your rating valuation reviewed at any time. This is referred to as a 'Section 16' inspection. A fee of \$300 + GST is charged by our valuer, Opteon, for a typical residential home. This review would include a physical inspection of your property. The value would then be determined by comparing your property to similar properties already valued as at 1 September 2021. You can check the value of other properties in the city on our website: <https://hamilton.govt.nz/property-rates-and-building/property/property-search/>. Please let me know if this is something you would like to do.

Rates set

This is the calculation of your rates from the back of your invoice:



This is the same calculation used for every residential property in the city (except where core services are unavailable). Unfortunately, we cannot change the amount of rates set for your property.

No part of your rates is optional, or is based on the actual use of any particular Council service. We have no ability to reduce that amount of your rates due to your concerns about fluoride in

Rates assistance

There is some assistance available to those on a low income. See our website here for links and forms: <https://hamilton.govt.nz/do-it-online/apply-for-it/rebates/>. We can also post these forms out if you like.

Government Rates Rebate

Rates figures to use for this:

Hamilton	\$4,268.08
Waikato Regional Council	\$869.39
Total	\$5,137.47

Based on this amount of rates you may qualify if your gross income from the last tax year was below about \$54,000. This income level will increase slightly if you have dependent children.

Council Rates Rebate

This rebate has a savings & investments limit of \$22,850. You may qualify if your gross income from the last tax year was below about \$50,000.

Waikato Regional Council Remission

If you qualify for the Government Rates Rebate you can also apply to Waikato Regional Council for their rates remission, form here:
<https://waikatoregion.govt.nz/assets/WRC/Rates-remission-financial-hardship-application-form.pdf>

We also have some discretion to make a flexible payment arrangement in the short-term (a year or so), if you just need some time to make other arrangements.

Please let me know if you have further questions about your rates.

Regards,

Andrew Judson

Rates Manager | Finance

7(2)(a) | Email: Andrew.Judson@hcc.govt.nz



Hamilton City Council | 260 Anglesea St | Hamilton 3240 | www.hamilton.govt.nz

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From: 7(2)(a)

Sent: Friday, 2 September 2022 11:06 AM

To: Rates Enquiry <Rates@hcc.govt.nz>; Revaluation <Revaluation@hcc.govt.nz>

Subject: RATES 7(2)(a), Huntington

Dear Hamilton City Council

In reference to rates notice number 55773 dated 21 January 2022 and Notice of Rating Valuation dated 26 April 2022 (valuation reference 04209-214-46) I present below some issues for your response.

The Notice of Rating Valuation was a surprise. I am concerned at the overvaluation of my property. My properties rates are also inflated. Please reduce my rates. My income was almost nil over the lockdown/Covid period, which is making payment very difficult and adding to my debt.

Please provide clarification on the following questions:

1. is Hamilton City Council (as opposed to the City of Hamilton) is a corporate entity
2. who does it report to (apart from residents and ratepayers), and
3. if separate, who owns Hamilton City Council?

Please confirm if Hamilton City Council residential water supply does or does not contain HFA (hydrofluosilicic acid) and if therefore the water potentially contains traces of lead, arsenic, mercury and/or cadmium.

Assuming the answer is yes, I advise that I do not wish to pay for water through my rates that is treated with fluoride (as HFA), but demand to receive water as nature intended. It is expensive and difficult to remove the added fluoride from water or to use alternative sources. I advocate that fluoride supplements be supplied for free where demand exists and that Hamilton City Council cease treating our municipal water supply with fluoride/HFA. If dental health is the reason for fluoride dosing, please approach this at the consumer point (supermarkets, fast food outlets, etc.) rather than medicating the water for all.

Thank you for the good things that council does around Hamilton city, which do not go unnoticed.

Yours sincerely

7(2)(a)