

To: Thames Coromandel District Council  
From: Jane Beck on behalf of Fluoride Free Thames  
Date: 27 April 2015

**Re: Request for approval to place temporary signs for the Thames fluoridation referendum on a reserve or public place.**

**Request**

Approval is sought at this time, despite lack of knowledge of the exact date of the fluoridation referendum due in the second half of 2015, to enable advance planning and budgeting for a campaign related to the referendum.

Approval is sought for the placement of eight (eleven if double signs counted as two) signs at the following positions:

1. Junction of Burke and Queen Street, northern corner.
2. Junction of Pollen and Queen Street, southern corner.
3. Queen Street at boundary just inside Porritt Park facing Sealey Street.
4. Junction of Richmond and Queen Street, northern corner on western side closest to the Firth of Thames (double sign).
5. Queen Street on grassy patch of garden almost opposite Mitchell Street (double sign).
6. Jellicoe Crescent on verge opposite Banks Street (double sign).
7. Ngati Maru Highway north side of the bridge over the Kaueranga River on the eastern side of the road.
8. Ngati Maru Highway south side of the bridge over the Kaueranga River on the western (Firth) side of the road.

Or, if these sites are considered unsuitable, at other sites on reserves or public land that the Council deems suitable.

The signs would:

- Be less than 3 m<sup>2</sup> in area.
- Be erected no earlier than 2 months before polling day, maintained and then removed the day before polling day.
- Not be discriminatory, objectionable, offensive or inappropriately inciting as described in section 803.1(c) of the Control of Advertising Bylaw 2007.
- Not obstruct, distract, confuse, glare or endanger road users as described in section 805 of the Control of Advertising Bylaw 2007.

**Background**

On 19 December 2014 Council resolved to hold a referendum on the issue of water fluoridation in Thames in the second half of 2015.

There is currently no Bylaw in force to control advertising signs. The last bylaw, Control of Advertising 2007 expired in October 2012. This expired bylaw states that signs may be erected as of right (802) for a referendum on reserves and public places specifically approved by the Council (812.2(b)).

On enquiring where these specifically approved places were located it became clear there was no specific list and the enquiry was passed to the Governance Strategy Manager. For the purpose of clarity a written request was then made for approval to erect referendum signs at eight locations on public land.

Council staff declined the request "on the grounds that Council has previously declined all election signage requests in the past to ensure council's neutrality" but advised that the option to seek permission from the Council existed.

### **Discussion points**

Although the Control of Advertising Bylaw 2007 is no longer in force the intent of the expired bylaw is that there would be Council controlled land available for signage provided the standards are met. This would be in line with the nationally common practice of election and referendum signs for all parties being erected on reserves and public land. A blanket ban would seem to be against the apparent intent of the expired bylaw.

Giving approval for referendum signage on reserves and public land does not imply partiality on the part of the Council when it is given to both sides.

A referendum differs from an election with having only two sides rather than many candidates and parties. If Council chose, it would be possible to give approval but limit the number of sites and/or signs to minimise the impact. However, by allowing referendum signage on public land it will aid Council in alerting the community to the referendum and encourage voting which must be desirable for a meaningful outcome.

Because of the controversial nature of fluoridation, allowing signs on public land is neutral and fair to both sides especially when compared with relying solely on signs on private land. With just two sides to this referendum this is even more imperative than during an election when there are multiple candidates.

### **Suggested resolution**

That the Thames-Coromandel District Council resolves to approve fluoridation referendum signage to both sides in general and specifically at the eight locations identified in this request.