



AGENDA

Dear Mayor and Councillors,

I respectfully advise that notice is hereby given that a **SPECIAL MEETING OF ELECTORS** will be held in the **Civic Centre Gardens, McGregor St, Port Hedland**, on **Tuesday, 12 April 2022**, commencing at **5.30pm**.

MEETING AGENDA ATTACHED

Yours faithfully

A handwritten signature in black ink, appearing to read "Carl Askew".

Carl Askew
Chief Executive Officer

7 April 2022

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement or intimation occurring during this meeting of electors. The Town of Port Hedland disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during this meeting of electors.. Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in an electors meeting does so at their own risk. The Town of Port Hedland advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

Notice of a Special Meeting of Electors

The Town of Port Hedland has received a request to hold a Special Meeting of Electors by more than 100 electors to discuss –

1. Community concerns in relation to the vaccination mandates and to oppose vaccination mandates and declare the Town of Port Hedland a Pro Choice community.
2. Request that the Town of Port Hedland Council advise the Premier and State Parliament of community concerns in relation to existing mandates; and request that they refrain from imposing further mandates as well as removing all existing mandates currently in place.

In accordance with the Local government (Administration) Regulations 1996, the Mayor is to preside at the special meeting of electors and has determined the procedure to be followed.

Carl Askew
Chief Executive Officer

Information on how a Special Meeting of Electors is Conducted.

Meeting Process

1. The meeting area will be partitioned, a section for electors and a section for observers (non electors)
2. Record your name in the attendance register
3. The Mayor will open the meeting.
4. Only electors of the Town of Port Hedland are entitled to vote.
5. Motions will be read out and moved by an elector
6. Electors moving a motion will have the opportunity to speak to the motion
7. Electors seconding a motion will have the opportunity to speak to the motion
8. The mover of a motion has the right of reply
9. Motions will be voted on by a show of hands by electors
10. Any other rules or procedures are in accordance with the Town of Port Hedland Standing Orders Local Law 2014.
11. A report containing the motions carried by electors will be presented to the Ordinary Council Meeting on Wednesday 25 May 2022.
12. Any decisions made at a Special meeting of Electors are not binding on the Council.

Order Of Business

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Item 1 Opening of Meeting

The Presiding Member is to declare the meeting open at xxxxxxpm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledges the Kariyarra people as the Traditional Custodians of the land that we meet on and recognises their strength and resilience and he pays his respects to elders past, present and emerging.

Item 3 Recording of Attendance

Important note:

This meeting is being audio recorded to facilitate community participation and for minute-taking purposes, which may be released upon request to third parties. In accordance with Section 6.16 of the Town of Port Hedland Local Law on Standing Orders members of the public are not permitted to use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by the Presiding Member to do so. Members of the public are also reminded that in accordance with section 6.17(4) of the Town of Port Hedland Standing Orders Local Law mobile telephones must be switched off and not used during the meeting.

3.1 Attendance

Scheduled Present: Mayor Peter Carter
Deputy Mayor Tim Turner
Cr Flo Bennett
Cr Ash Christensen
Cr Renae Coles
Cr Elmar Zielke

Scheduled for Attendance: Carl Askew (Chief Executive Officer)
Florian Goessmann (Acting Director Corporate Services)
Josephine Bianchi (Director Community Services)
Craig Watts (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Joyce Routledge (Acting Manager Governance/Minute Taker)

3.2 Apologies

The Hon. Stephen Dawson MLC
Cr David Eckhart

3.3 Approved Leave of Absence

Karren MacClure (Director Corporate Services)
Cr Gillingham

Item 4 Public Time

Important note:

In accordance with section 6.7(3) of the Town of Port Hedland Local Law on Standing Orders, members of the public are required to complete a question form and place the completed form in the tray provided.

If the Presiding Member determines that questions and statements are out of order due to the use of an offensive or objectionable expression or are defamatory, they will not be recorded or responded to.

4.1 Public Question Time

4.2 Public Statement Time

Item 5 Motions

5.1 Electors Motions

ELECTORS MOTION 1

That the Port Hedland community oppose vaccination mandates and declare the Town of Port Hedland a Pro Choice Community

SIMPLE MAJORITY REQUIRED

ELECTORS MOTION 2

That the Town of Port Hedland advise the Premier and State Parliament of community concerns in relation to existing mandates: and request that they refrain from imposing further mandates as well as removing all existing mandates currently in place.

SIMPLE MAJORITY REQUIRED

ELECTORS MOTION 3

That the Town of Port Hedland apply to the Supreme Court of Western Australia, pursuant to Order 56 of the *Supreme Court Rules 1971*, for judicial review of the following decisions, each of which is adversely affecting the personal, occupational and commercial interests of residents of, businesses operating in, and visitors to, the Town of Port Hedland:

Pertaining to State of Emergency Declaration and Extensions

- a. **Declaration of State of Emergency made at 12.45pm on 15 March 2020, by Francis Michael Logan, the Minister for Emergency Services, under section 56 of the *Emergency Management Act 2005* (WA).**
- b. **Extension of State of Emergency Declaration from 25 March 2022 to 8 April 2022 made at 9.35am on 22 March 2022, by Stephen Noel Dawson, the Minister for Emergency Services, under section 58 of the *Emergency Management Act 2005* (WA).**
- c. **Extension of State of Emergency Declaration from 8 April 2022 to 22 April 2022 made at 11.55am on 5 April 2022, by Stephen Noel Dawson, the Minister for Emergency Services, under section 58 of the *Emergency Management Act 2005* (WA).**

Pertaining to Business and Community Activity Directions

- d. **Proof of Vaccination Directions (No 5) made at 11.25am on 25 February 2022, by Christopher Dawson, Commissioner of Police and State Emergency Co-ordinator, under sections 61, 67 and 72A of the *Emergency Management Act 2005*.**
- e. **COVID Transition (Public Health and Social Measures) Directions (No 2) made at 10.25am on 29 March 2022, by Christopher Dawson, Commissioner of Police and State Emergency Co-ordinator, under sections 61, 67 and 72A of the *Emergency Management Act 2005*.**

Pertaining to Mandatory Vaccination Directions

- f. **Resources Industry Worker (Restrictions on Access) Directions (No. 3) made at 1.48pm on 24 February 2022, by Andrew Robertson, the Chief Health Officer, under sections 157(1)(e), 157(1)(k), 180 and 190(1)(p) of the *Public Health Act 2016* (WA).**
- g. **Booster Vaccination (Restrictions on Access) Directions (No. 2) made at 6.42pm on 7 January 2022, by Andrew Robertson, the Chief Health Officer, under sections 157(1)(e), 157(1)(k), 180 and 190(1)(p) of the *Public Health Act 2016* (WA).**

SIMPLE MAJORITY REQUIRED

ELECTORS MOTION 4

That the Town of Port Hedland apply to the Supreme Court of Western Australia, pursuant to Order 56 of the *Supreme Court Rules 1971*, for judicial review of any future decision which has the effect of replacing, superseding, varying or extending, or otherwise deals with the same subject matter as, any of the decisions referred to in resolutions 1(a) to (g).

SIMPLE MAJORITY REQUIRED

ELECTORS MOTION 5

That the Town of Port Hedland Council direct the CEO to:

- a. Ensure, on Council approval, that this Supreme Court challenge be lodged with the Supreme Court registrar within 28 days of the this motion gaining council approval**
- b. Adjust the 2021/22 budget and allocate up to, \$500,000.00 for the Supreme Court challenge and any associated legal proceedings referencing this direction.**

SIMPLE MAJORITY REQUIRED

ELECTORS MOTION 6

That the Local Government will seek and allow (but not delay) any Western Australian local government body and/or private sector, listed below, to contribute to financially supporting this challenge

- a. Other Local Governments across the State;**
- b. Western Australian Local Government Association (WALGA);**
- c. Local Government Professionals WA; and,**
- d. Other professional bodies, associations, business entities and individual Australians.**

SIMPLE MAJORITY REQUIRED

ATTACHMENTS: Petitioners letter with signatures

Item 6 General Business

Item 7 Closure

There being no further business, the Presiding Member declared the meeting closed at [enter time](#).