



MINUTES

Special Electors Meeting Tuesday, 12 April 2022

Date: Tuesday, 12 April 2022

Time: 5:30pm

Location: Civic Centre
McGregor St
Port Hedland

Distribution Date: 28 April 2022

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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

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Item 1 Opening of Meeting

The Presiding Member declared the meeting open at 5:30pm.

Item 2 Acknowledgement of Traditional Owners and Dignitaries

The Presiding Member acknowledged the Kariyarra people as the Traditional Custodians of the land that we met on and recognised their strength and resilience and he paid 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

Present: Mayor Peter Carter
Cr Renae Coles

In Attendance: Carl Askew (Chief Executive Officer)
Florian Goessmann (Acting Director Corporate Services)
Craig Watts (Director Regulatory Services)
Lee Furness (Director Infrastructure Services)
Joyce Routledge (Acting Manager Governance)
Christine Fairbrother (Minute Taker)

Public Register: 128

3.2 Apologies

The Hon. Stephen Dawson MLC
Deputy Mayor Tim Turner
Cr David Eckhart
Cr Ash Christensen
Cr Elmer Zielke

3.3 Approved Leave of Absence

Karren MacClure (Director Corporate Services)
Cr Jan Gillingham
Cr Flo Bennett

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

The presiding member declared Public Question Time open at 5:37pm

The presiding member declared Public Question Time closed at 5:38pm

4.2 Public Statement Time

The Mayor declared Public Statement Time open at 5:38pm

4.1.1 MR JOHN ASHENDEN

Mr Ashenden thanked those who came out to support the motions. Mr Ashenden advised he had worked for the Town of Port Hedland (Town) until he was stood down in Dec 2021. At the time, Mr Ashenden raised with the Town the OH&S Act and Risk Assessment but was basically told by the Town that the Public Health Act 2016 under the state of emergency overrode all other laws and the Town would comply with all mandates.

Mr Ashenden had hoped his position with the Town would see him through to retirement however he was terminated in Jan 2022 as his position required him to be vaccinated.

As a ratepayer Mr Ashenden asked if he would receive a reduction in his rates as he is unable to attend events and Council facilities due to the covid mandates.

Mr Ashenden urged the Town to support the motions.

4.1.2 MR. CHRIS SKELTON

Mr Skelton advised he was terminated via email after 15 years of service because he chose not to be vaccinated. He talked about how he has been impacted and has personally suffered as a result of losing his employment. He emphasised how tired he was of being treated as a second class citizen and not being able to enter cafes, bars, restaurants or go to movies. Mr Skelton went on to say he loves the Port Hedland community and feels the mandates are dividing a mostly inclusive community. He asked the question to the Councillors “what do you want to be your legacy”. Mr Skelton urged the Council to push back against the State Premier and adopt the motions the community members put forward.

4.1.3 MR. LANCE COPPIN

Mr Coppin travelled from Muccan Station to support the members of the community opposing the covid mandates. Mr Coppin feels the mandates attack the core principals that we all live by, the principals of freedom of the individual, freedom of choice, the freedom of a fair go and the freedom to critically think. Mr Coppin went on to discuss, what he believes is the non scientific rationale behind the mandates and the abuse of power in calling a State of Emergency. Mr Coppin, addressing the Council asked the Councillors to listen to the people and be careful about the decisions made.

4.1.4 MS. LOUISA LORADO

Ms Lorado introduced herself as an elector, a local resident and a primary school teacher and has been for over 10 years. Ms Lorado explained that as a teacher, part of the curriculum is about consent choices and feels that the teaching curriculum does not align with the actions of the country. Ms Lorado felt pressure to get vaccinated to keep her job. Ms Lorado explained that she is not anti vaccination and has had hers and her children have been vaccinated in the past however the previous decisions to be vaccinated were based on health needs. Ms Lorado asked the meeting how many people were vaccinated and felt they had no choice. I had to walk away from teaching at a time when teachers were needed the most. Ms Lorado feels the mandates have segregated our community and taken away our basic freedoms. Ms Lorado asked the meeting attendees to vote to drop the mandates and reunite Hedland.

4.1.5 MS. JILLIAN FISHER

Ms Fisher thanked the Town of Port Hedland and the organisers for holding the special meeting of electors and having the opportunity to speak and thanked everyone who took the time out to support the meeting.

Ms Fisher went on to say that she has lived in South Hedland for 4 years and before South Hedland spent 4 years at Yandearra Community. Ms Fisher came from a rural background

and worked her way towards a HC licence. The transport industry was affected by the implementation of the WA government mandate system effectively putting an end to her dreams of becoming a quad driver as our health is a major consideration and believes the government has no actual health reason for the vaccine to be a requirement for a trucking position. Ms Fisher found it incredulous at the insistence of the WA government that local companies implemented the mandates usurping any rights over her employment contract.

After months of searching, Ms Fisher has found employment in an unmandated position but is not working to her potential and has taken a pay cut and exhausted her savings. The mandate is affecting our town and our social circles and calls on Councillors to recognise what effect that these mandates are having on our town and its families. Ms Fisher insisted that the Town cannot afford to miss these motions and fail to continue this process to stop mandates against its residence preferred wishes. Going on to say the Council have been elected to represent the views of the residents of our town and trust the council to do so.

4.1.6 MR. RYAN O'CONNELL

Mr O'Connell believes we have been made pawns in the governments chess board and that declaring a State of Emergency with so few cases seemed extreme and were led to believe it was in our best interest. Mr O'Connell discussed the vaccine, the media campaign and was prepared to be vaccinated until the government made it mandatory. Mr O'Connell doesn't think the government had the right to force him into taking a vaccine that "clearly hadn't been put through rigorous testing that all other vaccines had been put through." Mr O'Connell mentioned the people who have lost their jobs from not being vaccinated including his own earning capacity. Mr O'Connell encourages all Australians to ask questions about the effectiveness of the vaccinations and mandates and the government is there to serve the people not control them. He directed to the Councillors that their job is to fight for what the people want to make the Port Hedland and inclusive community and not to allow division to continue and please end the mandates and support individuals right for freedom of choice.

4.1.7 MS. LYNNE TAYLOR

Ms Taylor introduced herself as the owner of the Pier Hotel and has been the owner for over 15 years and lived in Port Hedland for 23 years. Ms Taylor had a bad reaction to a flu shot and was not prepared to have a Covid-19 vaccine. Ms Taylor pays \$40,000 per annum in rates and is not allowed to enter her own business when it is open. Ms Taylor stated she has not gone through 20 years of hardship for this to happen. Ms Taylor went on to say there are bars shutting down left, right and centre through lack of staff.

Ms Taylor called upon the Councillors to have look at the town and the businesses like hers, struggling to find staff. Mr Taylor closed her premises on the 31st Dec 2021 as she did not want to ask her workers to get the vaccination.

Ms Taylor asked if the Council was going to reduce her rates since she has had to shut her doors.

4.1.8 MR. ANDREW MIDDLETON

Mr Middleton introduced himself as running for the UAP to challenge the vaccine mandates. Mr Middleton expressed his concerns about the impact the mandates have had on residents and businesses in Port Hedland in particular the mandates on workers in industries that have never had vaccine mandates of any nature in the past. Mr Middleton feels that if the mandates are not successfully challenged we may well see forced vaccination provisions. He urged the council to take a stand on the right side of history.

4.1.9 MS. MERRYLN BROWNING

Ms Browning discussed a PHD leading expert and authority on the historical control of infectious disease and the Covid-19 vaccines, gene technology, health issues and injuries and the reactions.

Ms Browning went on to say that there is no justification for labelling healthy people as unvaccinated because there is no vaccine that is preventing Covid-19 disease plus humans have an immune system that provides natural immunity to Covid-19 disease.

Ms Browning stated there should never be discrimination against healthy people based on a pharmaceutical drug and that vaccines for healthy people must always be a choice.

4.1.10 MR. PATRICK NARRIER

Mr Narrier introduced himself as a First Nations person who was terminated from his employment due to the WA government rules, directives and mandates. Mr Narrier has lived in Port Hedland for 15 to 20 years and has been a temporary resident over the last 39 years and throughout his time here has experienced the growth and spirit of the community and is proud to live in Hedland. He feels history is repeating itself in the name of health and that we should have a choice and not be directed or mandated by the Government.

4.1.11 MS. AMIE LOCHEAD

Ms Lohead has been part of the Hedland community for over 10 years and came along to the meeting as an unwilling vaccinated and boosted community member, and wants to represent others like her who under pressure gave in but didn't want to. Ms Lohead commended the community for sticking to their values because she wishes she had. Ms Lohead was considered a critical worker in the childhood sector and would like the mandates gone.

4.1.12 MS. SELINA DICKSON

Ms Dickson was proud to call this town her home but feels it has lost touch with the meaning of community. Ms Dickson commented on how cruel and oppressive and segregating the mandates were.

Ms Dickson talked about mental health and domestic violence during lockdowns and felt that our leaders have failed to accept any accountability and these matters remain to be officially recognised or addressed. Ms Dickson discussed her role as a family support worker.

Ms Dickson asked the Councillors to vote from their heart and put aside vaccination status in a world where discrimination is not tolerated.

4.1.13 MR. JOEL ARMSTRONG

Mr Armstrong introduced himself as an Aboriginal man who had a hard upbringing who is associated with a program called Man Up. Mr Armstrong raised a number of important issues including suicide, incarceration, domestic violence and isolation. Mr Armstrong chose not to get vaccinated and was terminated from his employment.

Mr Armstrong thanked people who have supported him. Mr Armstrong expressed his frustration at not having a choice in relation to vaccinations and the people he knows who have suffered health issues as a result of the mandates.

4.1.14 MR. CAMILO BLANCO

Mr Blanco commented on the great turnout including the vaccinated people for supporting the unvaccinated and made it clear that he himself is vaccinated and made the choice based on information he received at the time. Mr Blanco went on to say he supports the Australians who choose not to be vaccinated and that we are all in this together and it is our duty to defend the principals of liberty and its foundations of free speech and freely being able to decide our direction in life.

Mr Blanco discussed the role the State Government has played and their imposition on the people who put them into power and the forced termination of employees.

Mr Blanco talked about the motions and the proposed court action not being for Hedland alone but all West Australians and how it will benefit the whole of Australia. This Special Electors Meeting is to convince the elected Council to take up the fight and challenge the laws imposed on the people of WA by the State Government.

Mr Blanco hoped the meeting would bring about change and remove the mandates and asked the community to talk to their friends to support a challenge through the court system to remove the mandates in WA.

4.1.15 MR. ROGER HIGGINS

Mr Higgins introduced himself and asked the Mayor to confirm he was the only elected member at the meeting. The Mayor advised that Councillor Coles was at the meeting and that a number of Councillors were either on a leave of absence or were an apology. Mr Higgins expected

more Councillors to be in attendance and was disappointed as he would have liked the opportunity to address them and for them to hear from the community and felt that this would not be achieved.

Mr Higgins advised he has been a dentist in private practice in Hedland for 10 years and went on to discuss his role as a dentist and healthcare provider.

Mr Higgins addressed the Mayor and asked that he hear and understand what the people who were present at the meeting and other people in the community are saying about the mandates and related health concerns. Mr Higgins supported the motions and would like to return to normal but it would depend on the Council.

4.1.16 MR. ADRIAN MCRAE

Mr McRae welcomed everyone and introduced himself as a resident, business owner, property owner and rate payer. He thanked everyone for their effort in showing up to voice their concerns relating to the State Government mandates associated with Covid-19.

Mr McRae discussed his own personal situation and how the mandates have impacted on him and his personal life and his business and the loss of jobs for his loyal staff. He went on to discuss vaccine manufacturers and pharmaceutical companies and their profits as a consequence of the vaccines and mandates.

Mr McRae asked that Port Hedland Council support the motions from the electors and are the last hope of ending discrimination and the war against our freedoms the governments have declared upon us.

There being no further statements, the Mayor closed public statement time at 7.08pm.

Item 5 Motions

5.1 Electors Motions

Electors Motions 1 and 2 as per the Agenda lapsed for want of a Mover or Seconder.

MOVED: NIL

SECONDED: NIL

MOTION 1

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

MOVED: NIL

SECONDED: NIL

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.

The term 'en bloc' is used to describe the practice of adopting recommendations by the use of only one resolution. The Electors put forward the motion below to move Motions 3, 4, 5 and 6 en bloc.

MOVER: ADRIAN MCRAE

SECONDED: JOHN ASHENDEN

That Electors Motions 3, 4, 5 and 6 be moved on en bloc.

CARRIED UNANIMOUSLY

The following items were carried by 'en bloc' resolution:

Item Number	Motion Number
5.1	Electors Motion 3
5.1	Electors Motion 4
5.1	Electors Motion 5
5.1	Electors Motion 6

MOVED: ADRIAN MCRAE

SECONDED: JOHN ASHENDEN

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).

CARRIED UNANIMOUSLY

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MOVED: ADRIAN MCRAE

SECONDED: JOHN ASHENDEN

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).

CARRIED UNANIMOUSLY

MOVED: ADRIAN MCRAE

SECONDED: JOHN ASHENDEN

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.

CARRIED UNANIMOUSLY

MOVED: ADRIAN MCRAE

SECONDED: JOHN ASHENDEN

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.

CARRIED UNANIMOUSLY

ATTACHMENTS: Petitioners letter with signatures

Item 6 General Business

Nil

Item 7 Closure

There being no further business, the Presiding Member declared the meeting closed at 7:20pm.