



AGENDA

Dear Mayor and Councillors,

I respectfully advise that a SPECIAL COUNCIL MEETING will be held in the Civic Centre, McGregor St, Port Hedland, on **Friday 11 October 2024**, commencing at **7:00pm**.

The purpose of the Special Meeting is in response to a Notice of Motion and supporting attachments received from Cr McRae.

This meeting will be livestreamed via the Town's website.

MEETING AGENDA ATTACHED

Yours faithfully

Carl Askew
Chief Executive Officer
10 October 2024

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Town of Port Hedland for any act, omission, statement, or intimation occurring during Council Meetings. 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 Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council 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.

DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS***Local Government Act 1995 – Section 5.65, 5.70 and 5.71******Local Government (Model Code of Conduct) Regulations 2021***

This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Model Code of Conduct) Regulations 2021

Name			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential Briefing		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____ **Date:** _____

Important Note: Should you declare a **Financial or Proximity Interest**, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

"With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Order of Business

1	Opening of Meeting	5
2	Acknowledgement of Traditional Owners and Dignitaries	5
3	Recording of Attendance	5
3.1	Attendance	5
3.2	Attendance by Telephone / Instantaneous Communications	6
3.3	Apologies	6
3.4	Approved Leave of Absence	6
3.5	Disclosures Of Interest	6
4	Public Time	6
4.1	Public Question Time	6
4.2	Public Statement Time	6
5	Questions from Members without Notice	6
6	Announcements by Presiding Member without Discussion	6
7	Declarations of All Members to have given due consideration to all matters contained in the Business Paper before the Meeting	6
8	Councillor Motion	7
8.1.1	Cr Adrian McRae Notice of Motion	7
9	Closure	13
9.1	Date of Next Meeting	13
9.2	Closure	13

1 Opening of Meeting

The Presiding Member is to declare the meeting open at 7:00pm.

2 Acknowledgement of Traditional Owners and Dignitaries

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

3 Recording of Attendance

Important note:

This meeting is being live-streamed and 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 Ash Christensen
Cr Sven Arentz
Cr Camilo Blanco
Cr Lorraine Butson
Cr Adrian McRae
Cr Ambika Rebello

Scheduled for Attendance:

Carl Askew (Chief Executive Officer)
Steve Leeson (Director Corporate Services)
Louise Gee (I/Director Community Services)
Kylie Davies (Director Regulatory Services)
Bruce Wright (A/Director Infrastructure Services)
Tom Kettle (Manager Governance)
Sophie Marlow (A/Governance Support Officer)

3.2 Attendance by Telephone / Instantaneous Communications

3.3 Apologies

Cr Tim Turner
Cr Flo Bennett

3.4 Approved Leave of Absence

3.5 Disclosures Of Interest

4 Public Time

4.1 Public Question Time

4.2 Public Statement Time

5 Questions from Members without Notice

6 Announcements by Presiding Member without Discussion

7 Declarations of All Members to have given due consideration to all matters contained in the Business Paper before the Meeting

8 Cr Adrian McRae Notice of Motion**8.1.1 Cr Adrian McRae Notice of Motion**

Authorising Officer: Chief Executive Officer

Disclosure of Interest: The Author and Authorising Officer declare that they do not have any conflicts of interest in relation to this item.

NOTICE OF MOTION

That Council:

1. Acknowledges Exhibits and Findings, as per Attachments:

- (a) Exhibit 1: The Report by Dr. David Speicher**
- (b) Exhibit 2: The letter by The Honourable Russell Broadbent MP, Federal Member for Monash, dated 20 September 2024**
- (c) Exhibit 3: The follow-up letter by The Honourable Russell Broadbent MP, Federal Member for Monash, dated 25 September 2024**

2. In light of the information contained in Exhibits 1, 2, and 3, ToPH Council undertakes the following actions:

- (A) That Council forthwith deliver the letter seen at Annexure 1 to the Prime Minister, or a version substantially resembling Annexure 1, endorsing the letters of The Honourable Russell Broadbent MP dated 20 and 25 September 2024, in which Council repeats the call for an immediate suspension of the Pfizer and Moderna COVID-19 products under the same terms as expressed by Mr. Broadbent.**
- (B) That Council forthwith circulates to all registered health practitioners and medical clinics operating within the Port Hedland Local Government Area a copy of the letter appearing at Annexure 2, or a version substantially resembling Annexure 2.**

This letter will inform all local health practitioners of the report by Dr. Speicher and the findings of the Science Summary attached to Mr. Broadbent's letter of 25 September 2024. The Council strongly urges practitioners to share this information with patients contemplating receiving any Pfizer or Moderna COVID-19 vaccines. The goal is to ensure patients can provide legally valid informed consent. Copies of the letters from Mr. Broadbent MP and Town of Port Hedland to the Prime Minister will be attached.

- (C) That Council forthwith circulate to all other Australian Local Government Councils and Shires a copy of the letter appearing at Annexure 3, or a version substantially resembling Annexure 3. This letter will inform all Councils and Shires about the findings**

of Dr. Speicher's report and the Science Summary, urging them to share the information with health practitioners and clinics in their areas to facilitate informed consent for their residents.

The letter will attach the letters from Mr. Broadbent MP and the Council's letter to the Prime Minister, urging all other Australian Local Government Councils and Shires to consider sending similar correspondence to the Prime Minister.

- (D) That the CEO of Town of Port Hedland and their delegates be required to contact the Department of Health, Western Australia, and formally present Dr. Speicher's report, the letters from Mr. Broadbent MP, and the Council's letter to the Prime Minister, using copy of the letter appearing at Annexure 4, or a version substantially resembling Annexure 4.**

The Council requests a public response and advice on steps the Department recommends for patients contemplating the receipt of any further Covid-19 vaccines by Pfizer and Moderna, and advice on steps for public health and advice for medical practitioners.

- (E) That the CEO and their delegates be required to contact the Minister for Health of Western Australia, Amber-Jade Sanderson, to formally present Dr. Speicher's report, the letters from Mr. Broadbent MP, Council's letter to the Prime Minister, and Council's letter to all Australian Local Government Councils and Shires, using copy of the letter appearing at Annexure 5, or a version substantially resembling Annexure 5.**

The Council seek the Minister's public response and recommended actions for patients contemplating the receipt of any further Covid-19 vaccines by Pfizer and Moderna, and advice on steps for public health and advice for medical practitioners.

- (F) The CEO and their delegates contact the Commonwealth Department of Health and Aged Care, specifically Deputy Health Secretary Professor Lawler and Health Secretary Blair Comley, presenting Dr. Speicher's report, the letters from Mr. Broadbent MP, Council's letter to the Prime Minister, and Council's letter to all Australian Local Government Councils and Shires, using copy of the letter appearing at Annexure 6, or a version substantially resembling Annexure 6.**

The Council request a formal and public response from both officials, and recommended actions for patients contemplating the receipt of any further Covid-19 vaccines by Pfizer and Moderna, and advice on steps for public health and advice for medical practitioners.

- (G) The CEO and their delegates contact the Commonwealth Minister for Health and Aged Care, Mark Butler, presenting Dr. Speicher's**

report, the letters from Mr. Broadbent MP, Council's letter to the Prime Minister, and Council's letter to all Australian Local Government Councils and Shires, using copy of the letter appearing at Annexure 7, or a version substantially resembling Annexure 7.

The Council request a formal and public response from Minister Butler, and recommended actions for patients contemplating the receipt of any further Covid-19 vaccines by Pfizer and Moderna, and advice on steps for public health and advice for medical practitioners.

SIMPLE MAJORITY VOTE REQUIRED

DETAIL

A notice requesting a Special Council Meeting of the Council dated 7 October 2024 was received from Councillors McRae, Blanco and Butson on Tuesday 8 October 2024 (attachment 1). The purpose of the meeting is to consider Councillor McRae's notice of motion and supporting attachments (attachments 2-12).

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be low.

CONSULTATION

Internal

- Circulated to the Council via email.

External Agencies

- Nil

Community

- Nil

LEGISLATION AND POLICY CONSIDERATIONS

- Nil

FINANCE AND RESOURCE IMPLICATIONS

- There is a financial implication in the cost of staffing a Special Council Meeting and resourcing of the administration of the motion if it becomes a decision of the Council.

STRATEGIC SUSTAINABILITY IMPLICATIONS

The following sections of the Town's *Strategic Community Plan 2022-2032* are applicable in the consideration of this item:

Nil

There are no significant identifiable environmental, social or economic impacts relating to this item.

Access and Inclusion

The following outcomes of the Town's *Access and Inclusion Plan 2023-2026* apply in relation to this item:

Nil

Corporate Business Plan

The following action of the Town's *Corporate Business Plan 2023-2027* apply in relation to this item:

Council Support - Provide high standards of professional support and expert advice to the Council.

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Strategic
Risk Category	Reputational
Cause	Impacted State and Federal Government relationships.
Effect (Consequence)	Widespread loss of key stakeholder trust, high widespread multiple media profile, third party actions.
Risk Treatment	Council resolving not to take the actions outlined in this report. OR Correspondence is authored by Town of Port Hedland Elected Members and/or Mayor.

There is a Strategic risk associated with this item caused by the likelihood of impacted State and Federal Government relationships, leading to a widespread loss of key stakeholder trust, high widespread media profile and actions by third parties. The risk rating is considered to be Extreme (25) which is determined by a likelihood of Almost Certain (5) and a consequence of Catastrophic (5).

The risk will be avoided by the Council resolving not to take the actions outlined in this report.

OR

The risk will be mitigated by the correspondence being authored by Town of Port Hedland Elected Members and/or the Mayor.

Risk Type	Strategic
Risk Category	Financial
Cause	Impacted State and Federal Government relationships
Effect (Consequence)	Loss of secured Government funding and low likelihood of future Government funding to the value of more than \$10 million.
Risk Treatment	Council resolving not to take the actions outlined in this report.

There is a Strategic risk associated with this item caused by impacted State and Federal Government relationships, leading to the loss of secured Government funding and low likelihood of future Government funding to the value of more than \$10 million.

The risk rating is considered to be Extreme (20) which is determined by a likelihood of Likely (4) and a consequence of Catastrophic (5).

The risk will be avoided by the Council resolving not to take the actions outlined in this report.

OPTIONS

Option 1 – Adopt Councillor’s motion

Option 2 – Amend Councillor’s motion

Option 3 – Do not adopt Councillor’s motion

CONCLUSION

Councillor McRae’s motion and a consideration of financial implications and risks is presented to the Council for consideration.

ATTACHMENTS

1. REQUEST FOR To PH SPECIAL COUNCIL MEETING [**8.1.1.1** - 1 page]
2. Town of Port Hedland - Special Council Meeting - SUBSTANTIVE MOTION on DNA Contamination - 3 pages [**8.1.1.2** - 3 pages]
3. Exhibit 1 - DNA Contamination Report by Dr. David Speicher Ph D [**8.1.1.3** - 11 pages]
4. Exhibit 2 - The Hon Russell Broadbent MP - Letter to Prime Minister - Dated 20.09.24 [**8.1.1.4** - 2 pages]
5. Exhibit 3 - The Hon Russell Broadbent MP - Follow- Up Letter to Prime Minister & Science Summary - D [**8.1.1.5** - 10 pages]
6. Annexure 1 - Letter to the Australian Prime Minister [**8.1.1.6** - 2 pages]
7. Annexure 2 - Letter to Port Hedland Health Practitioners [**8.1.1.7** - 2 pages]
8. Annexure 3 - Letter to Australian Local Governments & Local Shires [**8.1.1.8** - 2 pages]
9. Annexure 4 - Letter to the WA Department of Health [**8.1.1.9** - 2 pages]
10. Annexure 5 - Letter to the WA Minister of Health [**8.1.1.10** - 1 page]
11. Annexure 6 - Letter to Commonwealth Health Secretary [**8.1.1.11** - 2 pages]
12. Annexure 7 - Letter to Commonwealth Minister for Health and Aged Care [**8.1.1.12** - 2 pages]

9 Closure

9.1 Date of Next Meeting

The next Ordinary Meeting of Council will be held on Wednesday, 30 October 2024 commencing at 5:30pm.

9.2 Closure

There being no further business, the Presiding Member to declare the meeting closed.