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Council Agenda

Shire of Pingelly

Special Council Meeting

Thursday 19 December 2024

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Pingelly, positive by nature. Let's grow together!

Shire of Pingelly



Notice of Meeting

Notice is given that a Special meeting of the Council will be held in the Council Chambers, 17 Queen Street, Pingelly on Thursday 19 December 2024 commencing at 2.00 pm.

Purpose of Meeting

This meeting is for Council to consider the Motion passed by electors at the Special Meeting of Electors on 16 December 2024.

Disclaimer

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations. The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

A handwritten signature in black ink, appearing to be "A. Dover", written in a cursive style.

Andrew Dover
Chief Executive Officer

PUBLIC QUESTION TIME INFORMATION

The Shire of Pingelly welcomes community participation during public question time. This document is to be read in conjunction with the *Shire of Pingelly Standing Orders Local Law 2017* and the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

1. A member of the public who raises a question during question time must:
 - a. be in attendance at the meeting;
 - b. first state their name and address;
 - c. direct the question to the Presiding Member;
 - d. ask the question briefly and concisely;
 - e. limit any preamble to matters directly relevant to the question; and
 - f. ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question.
2. Each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions.
3. Where a member of the public seeks a written response to their questions to be tabled at a meeting, the member of the public must submit their questions to Council by no later than 12 noon on the day prior to the meeting date of which the response is to be tabled.
4. Where a member of the public submits their questions after 12 noon on the day prior to the meeting date of which the response is to be tabled, a written response may be provided at the discretion of the presiding member.
5. Where a member of the public submits a written question after 12 noon the day prior to the meeting at which they are to be tabled, a verbal response may be provided at the meeting.
6. A member of the public may ask questions without notice at a meeting, provided they present a written copy of their questions to Council prior to the commencement of the meeting.

Questions may be submitted by e-mail to admin@pingelly.wa.gov.au.

Risk Framework

Consequence Rating

Impact	Health	Financial	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant	Negligible injuries	Less than \$2,000	No material service interruption	No noticeable regulatory / statutory impact	Low impact, single complaint, low profile or 'no news' item	Inconsequential or no damage	Contained, reversible impact managed on site response
Minor	First aid injuries	\$2,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliance	Low impact, a small number of complaints	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate	Medical type injuries <5 days	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Public embarrassment, moderate impact, low or moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major	Lost time injury >5 days	\$50,001 - \$200,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic	Fatality, permanent disability	More than \$200,000	Indeterminate prolonged interruption – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages	Public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution. Complete loss of property	Uncontained, irreversible impact

Likelihood Rating

	Description
Almost Certain	The event is expected to occur in most circumstances > once per year > 90% chance of occurring
Likely	The event will probably occur in most circumstances At least once per year 60% - 90% chance of occurring
Possible	The event should occur at some time At least once in 3 years 40% - 60% chance of occurring
Unlikely	The event could occur at some time At least once in 3 years 10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances Less than once in 15 years < 10% chance of occurring

Risk Matrix

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	M (5)	H (10)	H (15)	E (20)	E (25)
Likely	L (4)	M (8)	H (12)	H (16)	E (20)
Possible	L (3)	M (6)	M (9)	H (12)	H (15)
Unlikely	L (2)	L (4)	M (6)	M (8)	H (10)
Rare	L (1)	L (2)	L (4)	L (4)	M (5)

Risk Acceptance Criteria

	Description	Criteria	Responsibility
Low (L)	Acceptable	Acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Staff Member
Moderate (M)	Monitor	Acceptable with adequate controls, managed by specific procedures, subject to semi-annual monitoring	Senior Manager
High (H)	Urgent action	Acceptable with effective controls, managed by senior management, subject to monthly monitoring	Senior Manager
Extreme (E)	Unacceptable	Only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by the CEO and subject to continuous monitoring	CEO

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman to declare the meeting open.

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people past, present and emerging.

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER

4. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

5. PUBLIC QUESTION TIME

6. DISCLOSURES OF INTEREST

7. REPORTS OF COMMITTEES OF COUNCIL

Nil

8. OFFICE OF THE CHIEF EXECUTIVE OFFICER

8.1 Consideration of the Motion Passed at the Special Meeting of Electors 16 December 2024

File Reference:	ADM0103
Location:	Not Applicable
Applicant:	Not Applicable
Author:	Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Nil
Previous Reference:	Nil

Summary

Council is requested to consider the Motion passed by electors at the Special Meeting of Electors on 16 December 2024.

Background

The Shire of Pingelly received a request for a Special Meeting of Electors on 15 November 2024 from more than 5% of the electors in the district under section 5.28 of the Local Government Act 1995.

This request states *“that there is a growing concern among a number of local residents regarding the safety of the mandated vaccines and the elevated number of people affected and harmed as a result.”*

This meeting was attended 66 people in total, 34 of whom were electors (excluding Councillors, Staff and observers), and featured 2 videos and several statements by electors. At this meeting, the electors passed the following motion:

That Council:

1. That the Shire of Pingelly Council write a letter similar to (Annexure 2 of the Port Hedland Special meeting October 11th) to local health practitioners and share the information received from Port Hedland including Dr Speicher’s report and state they have contacted the Prime Minister, and are joining Mr. Broadbent in calling for the immediate suspension of these mRNA Covid vaccine products until a full investigation into how this contamination went undetected by Australia’s regulatory bodies.

In the meantime, we believe it is vital that this DNA contamination information is communicated to patients considering the Pfizer or Moderna vaccines, so they can determine their own legally valid informed consent.

2. To write to the Prime Minister similar to (Annexure 1 of the Port Hedland Special meeting October 11th), stating that in light of the contamination findings the Shire of Pingelly council therefore joins Mr. Broadbent and the multitude of global experts in urging the immediate suspension of Pfizer and Moderna COVID-19 vaccines, and call for an urgent and thorough independent investigation to get answers into how this contamination has gone undetected by our regulatory agencies.

For further information on this meeting, please see the minutes of the meeting.

Comment

More than 5% of electors of the Shire of Pingelly requested the Shire to write to local health practitioners and to the Prime Minister calling for immediate suspension of the Pfizer and Moderna COVID-19 vaccines pending further investigations. At the Special Meeting of Electors, these electors spoke strongly and clearly about their concerns, the medical evidence, and their lived experiences. It is unclear if this 5% is representative of the overall population. One option to ascertain if these concerns are widespread within the community is to carry out a poll of this issue to gain a greater understanding from the entire population.

The motion calls for the immediate suspension of the Pfizer and Moderna COVID-19 vaccines pending further investigations due to concerns regarding their safety. It is important that the relevant authorities are advised regarding any concerns about the safety of any medicine or vaccine when it comes to light. The relevant authorities have been advised by a number of organisations and individuals including Mr. Broadbent and the Shire of Port Headland.

The call for the immediate suspension of these vaccines may also be detrimental to some vulnerable people, leaving them at risk of viral infection. The Shire of Pingelly does not have the ability to determine if the risks of taking the vaccine are greater than the risk of refraining, particularly as this suspension would impact the entire population of Australia.

The onus now is on the relevant health organisations such as the Department of Health and Aged Care, the Therapeutic Goods Administration, and the National Health and Medical Research Council to ascertain if these concerns are valid. These organisations have the medical and research capabilities and the official authority to carry out this investigation. The Shire of Pingelly does not have the medical and research capacity to provide input into this process.

With consideration that:

- The Shire of Pingelly does not have the ability to determine if the risks of taking the vaccine are greater than the risk of refraining; and
- The Shire of Pingelly does not have the medical and research capacity to form an official position on the concerns raised by the electors.

it is recommended that that Council does not adopt the motion recommended by electors at the Special Meeting of Electors.

Consultation

This matter is considered by Council as a result of a request by more than 5% of electors.

Advice on the matter from WALGA stated the following:

WALGA's understanding is that many Local Governments have decided not to formulate a position on this matter as they believe the issue is a State and Commonwealth Government issue and Local Governments do not have any statutory role in the matter.

Statutory Environment

Health is administered under two separate acts – the *Health Services Act 2016* and the *Public Health Act 2016*.

The *Health Services Act* relates to clinical and allied health services – the provision of a system for patient centred care. This includes all medical interventions. The State Government is responsible to administer the *Health Services Act*.

The *Public Health Act* relates to the provision of a public environment which is conducive to healthy communities. Examples include applications for septic systems, applications for animals to be kept within close proximity to people, provision of footpaths for walkability, and restrictions on industry in close proximity to people. Both the State and Local Governments are responsible to administer the *Public Health Act*.

Policy Implications

There are no policy implications associated with this report.

Financial Implications

There are no financial implications evident at this time.

Strategic Implications

Nil

Risk Implications

Risk:	Reputational risk of adopting the motion passed at the Special Meeting of Electors.		
Consequence Theme:	Reputational	Impact:	Major
Consequence:	Public embarrassment, high impact, high news profile, third party actions		
Likelihood Rating:	Almost Certain	Risk Matrix:	High (15)
Action Plan:	That Council does not adopt the motion recommended by electors at the Special Meeting of Electors.		

This reputational risk assessment has been informed by the severe reputational damage suffered by the Town of Port Hedland and strong condemnation by the Premier, the Hon Roger Cook.

<p>Voting Requirements: Simple Majority</p> <p>Officers Recommendation:</p> <p>That Council does not adopt the motion recommended by electors at the Special Meeting of Electors.</p> <p>Moved: _____ Seconded: _____</p>
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9. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

Nil

10. DIRECTORATE OF WORKS

Nil

11. CONFIDENTIAL ITEMS

Nil

12. CLOSURE OF MEETING

The Chairman to declare the meeting closed.