



# MINUTES

## ANNUAL ELECTORS MEETING

**Wednesday 03 February 2021**

6.30pm

City of Albany Council Chambers

# ANNUAL ELECTORS MEETING

MINUTES – 03/02/2021

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# ANNUAL ELECTORS MEETING

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## ELECTORS MEETING PROCEDURE

In accordance with the *Local Government Act 1995*, being:

### **5.31. Procedure for electors' meetings**

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with the regulations.

Subject to regulations 15 and 17 the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.

### **5.32. Minutes of electors' meetings**

The CEO is to:

- (a) cause minutes of the proceedings at an electors meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors meeting are first considered.

### **5.33. Decisions made at electors' meetings**

- (1) All decisions made at an electors meeting are to be considered at the next ordinary council meeting or, if that is not practicable-
  - (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose,

whichever happens first.

- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

The procedures for the conduct of an electors meeting are prescribed in the *Local Government Act (Administration) Regulations 1996*, being:

#### **reg 15. Matters for discussion at general electors' meetings-s. 5.27(3).**

*For the purposes of the section 5.27(3), the matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.*

#### **reg 17. Voting at electors' meetings-s 5.31**

- (1) *Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.*
- (2) *All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) *Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.*

#### **reg 18. Procedures at electors' meetings-s 5.31**

*Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.*

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## 1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Mayor declared the meeting open at 6.30pm and read the opening prayer.

## 2. OPENING PRAYER

*“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”*

*“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.*

*We would also like to pay respect to Elders past, present and emerging”.*

## 3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

### Mayor

Dennis W Wellington

### Councillors:

Breaksea Ward

R Hammond

Breaksea Ward

P Terry

Kalgan Ward

E Doughty

Kalgan Ward

M Benson-Lidholm JP

Vancouver Ward

T Sleeman

West Ward

A Goode JP

West Ward

S Smith

Yakamia

C Thomson

Yakamia

R Sutton

### Staff:

Chief Executive Officer

A Sharpe

Executive Director Infrastructure, Development & Environment

P Camins

Meeting Secretary

D Clark

### Public Gallery and Media:

### Apologies/Leave of Absence:

Frederickstown Ward

G Stocks (Leave of Absence)

Frederickstown Ward

R Stephens (Leave of Absence)

Vancouver Ward

J Shanhun (Apology)

Executive Director Corporate and Commercial Services

D Olde (Apology)

Executive Director Community Services

N Watson (Apology)

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## 4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### RESOLUTION

**MOVED: COUNCILLOR THOMSON  
SECONDED: COUNCILLOR SMITH**

**THAT the minutes of the Annual Electors' Meeting held on 16 December 2019, as previously distributed, be confirmed as a true and accurate record of proceedings.**

**CARRIED 10-0**

### RESOLUTION

**MOVED: COUNCILLOR TERRY  
SECONDED: COUNCILLOR DOUGHTY**

**THAT the minutes of the Special Electors' Meeting held on 08 December 2020, as previously distributed, be confirmed as a true and accurate record of proceedings.**

**CARRIED 10-0**

## 5. RECEIPT OF ANNUAL REPORT FOR THE 2019-20 FINANCIAL YEAR

### ITEM 6.0: RESOLUTION

**MOVED: COUNCILLOR SMITH  
SECONDED: COUNCILLOR SUTTON**

**THAT the City of Albany Annual Report for the 2019-20 Financial Year be received.**

**CARRIED 10-0**

## 6. GENERAL BUSINESS

*The matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.*

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## 7. PUBLIC QUESTION AND STATEMENT TIME

**Mr Don Phillips, 314 Frenchman Bay Road, Albany**

### Summary of key points:

Mr Phillips addressed the meeting regarding the Woolstores site. Mr Phillips raised concerns regarding possible contamination, including asbestos, entering waterways. Mr Phillips provided 54 images of the site, and a hard copy of his address to the meeting, which are detailed at Appendix A

Mr Phillips requested that City staff visit the site as a matter of urgency.

Mr Phillips asked the following questions:

1. **“Can the CEO, Mayor and Councillors explain in a credible manner how compliance application varies at the City of Albany?”**

### Officer Response:

*City Officers have advised that a multi-agency site inspection was conducted in late 2020 by the City's Planning, Building and Environmental Health Teams, WorkSafe and the Department of Water and Environmental Regulation (DWER).*

*Currently each agency is in the process of seeking legal advice in relation to their respective legislative powers, in order to progress the clean-up of the subject site.*

*Whilst the City seeks to deal with all matters raised, these issues need to be managed through prioritisation of workflow in accordance with the City's Regulatory Compliance Policy.*

*This enables the best use of the limited resources available to be committed to the highest priority issues first and unfortunately can result in delays dealing with matters categorised as a low priority.*

*In regards to this matter, as this is a private site, fenced, danger to the public is limited to persons who illegally trespass on the subject site.*

2. **“What will the City of Albany do to protect its ratepayers in enforcing the law without fear or favour?”**

### Officer Response:

- *City compliance actions are guided by the Regulatory Compliance Policy. This policy provides guidance to:
  - Ensure there is a consistent approach in the undertaking of compliance and enforcement action.
  - Ensure transparency, procedural fairness and that the principles of natural justice are enacted.*
- *Enforcement options may only be exercised by officers with relevant delegated authority or authorisation relating to enforcement action or otherwise by Council resolution.*
- *The City of Albany may, where appropriate, favour education over other enforcement options but only where this is in the public interest and appears likely to achieve compliance.*

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## Mr Gary Richardson 14 Parker Street Lockyer

### Summary of key points:

- Mr Richardson addressed the meeting regarding wireless communication and his opinion on how community health may be impacted.
- Mr Richardson wanted Council to be aware of the possible dangers of this technology, and the responsibilities they had in relation to public health.
- Mr Richardson requested that technology is paused until the safety of people and animals can be ensured.

## Ms Sharon Pearson, Serpentine Road Mt Melville

### Summary of key points:

- Ms Pearson addressed the meeting regarding the 5G network, which she stated provides greater bandwidth and faster speeds. Ms Pearson stated that privacy could be invaded due to 5G being different infrastructure compared to previous technology. Ms Pearson stated that concerns had been raised about health impacts experienced elsewhere due to the 5G network.
- Ms Pearson tabled a document with 122 signatures stating that they were very concerned about the 5G network rolling out here with minimum community consultation and no proper safety testing. The tabled document is detailed at Appendix A.
- Ms Pearson said that the City should put more pressure on the relevant government agencies and private companies to do further testing. Ms Pearson said that a community meeting should be held as soon as possible to raise issues around the 5G network and would like further consideration about where the towers will be placed.

## Yana Appleton, 660 Lower King Road, Lower King

### Summary of key points:

Ms Appleton's tabled address is detailed at Appendix A. Ms Appleton addressed the meeting regarding the 5G network. Ms Appleton asked the following questions:

What does this mean for Albany?

- What will change for Albany residents?
- Will there be any changes to individual households?
- What infrastructure is required and who is funding it?
- What is the proposed timeline for this to be implemented?

Ms Appleton also asked the City to provide evidence of the studies and data used to determine if the safety of 5G specifically relating to:

- Carcinogenic properties, free radicals and bodily cell changes;
- Effects on fertility; and
- Effects on flora and fauna-specifically the bee population.

### Officer Response:

*The regulatory body in respect to electromagnetic energy (EME) is the Department of Infrastructure, Transport, Regional Development and Communications.*

*The Australian Government strictly regulates the use of EME to protect all Australians, based on decades of Australian and international research.*

*The Australian Communications and Media Authority (ACMA) has set mandatory limits for EME exposure for all devices that produce Radiofrequency signals. The Federally established Australian Protection and Nuclear Safety Agency (ARPANSA) enforce the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300GHz.*

*For more information, please visit <https://www.communications.gov.au/>*

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*Matters that relate specifically to the Development Application currently being considered (e.g. the location, siting and design of the facilities) will be discussed in the Council report to be presented at the Ordinary Council Meeting of March or April 2021.*

**The following information was provided to the City of Albany, by the proponent:**

## **EME & Health**

*Please be assured that Telstra take the responsibilities regarding the health and safety of their customers and the community very seriously. Telstra also acknowledge that some people are genuinely concerned about the possible health effects from electromagnetic energy (EME).*

*There are many sources of EME (often called electromagnetic radiation). They occur naturally as well as having artificial sources. Natural sources of EME include light from the sun, lightning and the earth's magnetic field. Refrigerators, hairdryers and computers, TVs, radios, mobile phones, WiFi, remote control devices, emergency services systems, baby monitors and microwave ovens.*

## **Is EME from a Mobile Base Station Safe?**

*The Australian Communications and Media Authority (ACMA) has set mandatory limits for EME exposure for all devices that produce Radiofrequency signals. Mobile phones and their base stations are included in these mandatory limits, as are AM/FM radio and TV broadcast stations. The ACMA conduct regular audit operations to test for compliance against these limits. The levels are set by the Australian Radiation Protection and Nuclear Safety Agency - ARPANSA Maximum Exposure Levels to Radiofrequency Fields -3kHz to 300 GHz' (RPS3), which is derived from the International Commission Non-Ionizing Radiation Protection (ICNIRP) Guidelines. The Australian Communications and Media Authority (ACMA) has extensive information on health and mobile phone technology.*

*ICNIRP has recently undertaken an extensive review of the available scientific evidence and research on EME and health. As a result, new ICNIRP Guidelines were published on 11 March 2020 with a focus on the overall depth of research and safety of the guidelines. It is the responsibility of these expert authorities to continually review the science on electromagnetic energy (EME) and to protect public safety.*

*ARPANSA's position is: "Based on current research there are no established health effects that can be attributed to the low RF EME exposure from mobile phone base station antennas." <https://www.arpansa.gov.au/understanding-radiation/radiation-sources/more-radiation-sources/mobile-phone-base-stations>.*

*You may wish to contact ARPANSA directly. ARPANSA provides an opportunity for the public and community to talk directly with scientists on issues about radiation exposure and protection in Australia. ARPANSA can be contacted on 1800 022 333 from 11:00 am to 12:30 pm on Tuesdays and Thursdays (Melbourne/Sydney AEST), except during public holidays. You can also send an enquiry via ARPANSA's online contact form." Additionally, the safety regulations operate by placing a limit on the strength of the signal (or radiofrequency EME) that Telstra can transmit. They are not based on distance, or creating "buffer zones" for residential areas, places of employment, schools or any other specific environment. The environmental standard limits the network signal strength to a level low enough to protect all people, in all environments, 24-hours a day. The safety limit itself, has a significant safety margin, or precautionary approach built into it.*

*The ACMA's regulatory arrangements require base stations to comply with the exposure limits in the ARPANSA RF Standard. The ARPANSA Standard is designed to protect people of all ages and health status against all known adverse health effects from exposure to RF EME. This standard is the same for infants/children, seniors and pregnant women.*

## **5G information & EME Health including immune system**

*There's already been a lot said about 5G technology, we rely on the expert scientists.*

*"I'd like to reassure the community that 5G technology is safe. There is no evidence telecommunication technologies, such as 5G, cause adverse health impacts.*

*This position is supported by health authorities in Australia – such as the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) – and around the world, such as the World Health Organization (WHO). The radio waves to which the general public is exposed from telecommunications are not hazardous to human health," said Chief Medical Officer, Professor Brendan Murphy.*

*The health authority in Australia, ARPANSA, is aware that there is a lot of concerning misinformation circulating throughout the community about the possible impacts of Australia's planned roll-out of the 5G mobile network.*



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*"Contrary to some claims, there are no established health effects from the radio waves that the 5G network uses. The upgrade will run on radio waves similar to those used in the current 4G network, "With the novel coronavirus (COVID-19) pandemic, some members of the public are concerned about the human immune system and whether it can be compromised by wireless telecommunications sources such as 5G.*

*There is no established evidence that low level radio wave exposure from 5G and other wireless telecommunications can affect the immune system or cause any other long term or short-term health effects," state The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The EMF-Portal ([www.emf-portal.org](http://www.emf-portal.org)) is an open-access extensive database of scientific research into the effects of EMF, including studies on the effects of RF on health. It is managed by the RWTH Aachen University, Germany and linked from the WHO website. EMF-Portal contains more than 25,000 published scientific articles on the biological and health effects of EMF and 2,500 studies on mobile communications.*

*A number of studies have investigated whether low level radio wave exposure from telecommunications sources like 5G can impact the immune system. Such studies, including those that have investigated effects on antigens, antibodies and oxidative stress, have not provided evidence of changes in immune function.*

*There is no established evidence that low level radio wave exposure from 5G and other wireless telecommunications can affect the immune system or cause other long- or short-term health effects.*

*There has been a lot of misinformation about 5G. You may like to visit the following Telstra links to find out about the latest science on 5G and EME:*

- <https://www.telstra.com.au/consumer-advice/eme/5g-and-eme>
- <https://exchange.telstra.com.au/understanding-5g-and-eme/>
- <https://exchange.telstra.com.au/5-things-you-should-know-about-5g-and-eme/>
- <https://exchange.telstra.com.au/5-surveys-of-5g-show-eme-levels-well-below-safety-limits/>

*We also recommend the following resources:*

- <https://www.arpansa.gov.au/news/misinformation-about-australias-5g-network>
- <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/myth-busters>
- <http://www.emfexplained.info/?ID=25916>
- <https://www.who.int/features/qa/30/en/>
- <https://www.icnirp.org/en/frequencies/high-frequency/index.html>
- <https://www.cnn.com/2019/03/27/is-5g-safe-for-humans-heres-what-scientific-consensus-says.html>

## **EME & Flora and Fauna**

*With respect to possible biological effect of RF EME, in 2019 Telstra asked ARPANSA for their response on the issue of possible effects on flora and fauna. They replied, "There is no established evidence that EME exposure from wireless telecommunications sources is harmful to flora or fauna. It should be remembered that many studies investigating human health are performed in the laboratory on animals and plant cells."*

*The following are publications that are available on exposure to radio frequency electromagnetic fields (RF-EMF) on flora:*

1. Tkalec M et al., November 2008, Effects of radiofrequency electromagnetic fields on seed germination and root meristematic cells of *Allium cepa* L [onion], *Mutat Res.*
2. Sharma VP et al., 2009, Mobile phone radiation inhibits *Vigna radiata* (mung bean) root growth by inducing oxidative stress, *Science of The Total Environment*, 407:5543-5547.
3. Roux D et al., 2008, High frequency (900 MHz) low amplitude (5 V/m) electromagnetic field: a genuine environmental stimulus that affects transcription, translation, calcium and energy charge in tomato, *Planta*, 227:883-891
4. Tafforeau M et al., 2004, Plant sensitivity to low intensity 105 GHz electromagnetic radiation, *Bioelectromagnetics*, 25:403-407
5. Akbal A et al., 2012, Effects of electromagnetic waves emitted by mobile phones on germination, root growth, and root tip cell mitotic division on *Lens Culinaris medic* [lentil seeds], *Pol J Environ Stud*, 1(2012):23-29
6. Aydin B et al., 2011, Effects of radiofrequency electromagnetic fields on oxidative stress and physiological parameters of wheat (*Triticum aestivum* L. CV. *golia*), *Fresenius Environmental Bulletin*, 20(11):2815-23

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7. *Monselise EB et al., 2011, Bioassay for assessing cell stress in the vicinity of radio-frequency irradiating antennas, J Environ Monit, epub. This paper considered duck-weed. Specifically, in relation to bees we are not aware of any evidence that 5G harms bees. You may be interested in these articles on how 5G technology is helping beekeepers:*

- <https://americanbeejournal.com/why-we-shouldnt-fear-5g/>
- <https://www.gsma.com/iot/exclusive-interview-keeping-bees-safe-and-sound/>

## 8. CLOSURE OF MEETING

There being no further business the Mayor declared the meeting closed at 6.47pm.