

13.2 Convening of a Special Council Meeting 2 April 2026

Author: Senior Governance Advisor

Authorising Officer: Director Corporate Services

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

OFFICER'S RECOMMENDATION

That Council:

- 1. Authorise the Temporary Chief Executive Officer to convene a Special Council Meeting on 2 April 2026 at 6:00pm; for the purpose of;**
 - a. Filling the office of Deputy Mayor; and**
 - b. Appointing three (3) Councillors to the Audit, Risk and Improvement Committee (ARIC).**
- 2. Request the Temporary Chief Executive Officer to advertise changes in meeting details.**

SIMPLE MAJORITY VOTE REQUIRED

PURPOSE

The purpose of this report is for Council to consider convening a Special Council Meeting (SCM) scheduled for 2 April 2026. A clerical error in the meeting schedule of November 2025 has been identified where the Council resolved to hold an Ordinary Council Meeting (OCM) on 2 April 2026. This should have been a SCM as is the normal operating process of the Town.

DETAIL

An OCM is currently scheduled for 2 April 2026 per Council's resolution with a further OCM to be held on 29 April 2026.

The 2 April 2025 meeting is intended to be the first meeting of the newly elected Council following the declaration of office and is required for the purpose of filling the office of Deputy Mayor in accordance with section 2.15 of the *Local Government Act 1995*. It is noted that in 2021 and 2023 the Council held a Special Council Meeting to elect the Deputy Mayor, following the elections.

Council can determine its meeting arrangements and may cancel a scheduled Ordinary Council Meeting and convene a Special Council Meeting to ensure that Council business can be considered. This approach provides clarity, transparency, and procedural certainty, aligning with established practice for meetings held for a specific statutory purpose.

The TCEO will give notice of the cancellation of the OCM, and the calling of the SCM at the ToPH website as required by Regulation 12 of the Local Government (Administration) Regulations 1996, and by other means, as appropriate to ensure the public and stakeholders are aware of this important event.

The SCM agenda will also seek to appoint three Council Members to the Audit, Risk and Improvement Committee (ARIC). Noting expressions of interest for the Independent members has been completed with suitable and available nominees being reported to the 29 April 2025 OCM.

LEVEL OF SIGNIFICANCE

In accordance with Policy 4/009 'Significant Decision Making', this matter is considered to be of low significance, because it relates to procedural meeting arrangements and does not involve a policy decision, financial commitment or strategic change.

CONSULTATION

Internal

Temporary Chief Executive Officer

External Agencies

Nil

Community

Nil

LEGISLATION AND POLICY CONSIDERATIONS

Local Government Act 1995

2.15. Filling office of deputy mayor or deputy president

The deputy mayor or deputy president is to be elected by the council under Schedule 2.3, Division 2.

[Section 2.15 amended: No. 49 of 2004 s. 18]

5.4. Calling council meetings

An ordinary or a special meeting of a council is to be held —

(a) if called for by either —

(i) the mayor or president; or

(ii) at least 1/3 of the councillors,

in a notice to the CEO setting out the date and purpose of the proposed meeting; or

(b) if so decided by the council.

Local Government (Administration) Regulations 1996

12. Publication of meeting details (Act s. 5.25(1)(g))

(1) In this regulation —

meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

(2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —

(a) ordinary council meetings;

(b) committee meetings.

(3) Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.

(4) If a special meeting of the council is to be held, the CEO must publish the meeting details for the meeting, and the purpose of the meeting, on the local government's official website as soon as practicable.

[Regulation 12 inserted: SL 2020/213 r. 18; amended: SL 2025/208 r. 6.]

ToPH Standing Orders Local Law 2014

Audit, Risk and Improvement Committee Terms of Reference

Town of Port Hedland Council Meetings and Forum Policy

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

STRATEGIC SUSTAINABILITY IMPLICATIONS

Council Plan

The following sections of the Town’s *Council Plan 2025-2035* apply in consideration of this item:

Our Leadership: We are united in our actions to connect, listen, support and advocate, thereby leveraging the potential of our people, places and resources.

4.2 Transparent and accountable governance and financial sustainability

Environmental

Nil

Economic

Nil

Social

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

RISK MANAGEMENT CONSIDERATIONS

Risk Type	Operational
Risk Category	Compliance
Cause	Meeting arrangements are not correctly aligned with the statutory and governance requirements for the first meeting of a newly elected Council, including the filling of the office of Deputy Mayor and the appointment of Councillors to the Audit, Risk and Improvement Committee
Effect (Consequence)	Procedural non-compliance, delays in establishing key governance roles and committees, potential challenge to the validity of decisions made, and reputational impact arising from inconsistent governance practice.
Risk Treatment	Convene a Special Council Meeting for a single, defined purpose, enabling Council to undertake required statutory and governance establishment actions in a procedurally sound manner.

There is an Operational risk associated with this item caused by misalignment of meeting type with the statutory and governance requirements applicable to the first meeting of a newly elected Council, which may lead to compliance and governance concerns if not addressed.

The risk rating is considered to be Medium (9), which is determined by a likelihood of Possible (3) and a consequence of Moderate (3).

This risk is considered acceptable due to the following controls in place:

- The Special Council Meeting is limited to clearly defined establishment matters, including the filling of the office of Deputy Mayor and appointment of Councillors to the Audit, Risk and Improvement Committee.
- The approach aligns with established practice following local government elections.
- The risk falls within the Town's acceptable tolerance range.

OPTIONS

Option 1 – Adopt officer's recommendation

Option 2 – Amend officer's recommendation

Option 3 – Do not adopt officer's recommendation

CONCLUSION

Convening a Special Council Meeting provides a clear, transparent and procedurally sound approach. The Council is authorising the Temporary Chief Executive Officer to convene a meeting for a specific purpose. This enables Council to undertake key establishment matters for the newly elected Council, including the filling of the office of Deputy Mayor and the appointment of Councillors to the Audit, Risk and Improvement Committee. This approach aligns with established governance practice following local government elections and ensures these matters are dealt with in a timely and compliant manner.

ATTACHMENTS

Nil