

PROPOSED NOTICE OF MOTION (Elected Members)

Name: Cr Steve Kepert

Date of Meeting: 15th September 2020

Meeting of the: Ordinary Meeting of Council

Subject: Creation of a new Council policy: Elected Member Access to Information

Disclaimer: Where administration has provided any assistance with the framing and/or wording of any motion/amendment to the Elected Member who has advised their intention to move it, the assistance has been provided on an impartial basis. The principle and intention expressed in any motion/amendment is solely that of the intended mover and not that of the officer/officers providing the assistance. Under no circumstance is it to be expressed to any party that administration or any officer holds a view on this motion other than that expressed in an official written or verbal report by administration to the Committee or Council meeting considering the motion.

PROPOSED NOTICE OF MOTION: CITY OF MELVILLE

The Council directs the CEO to create a new Council Policy with the following terms of reference:

- 1. City of Melville Elected Members are to be able to access any record held by the City of Melville.**
- 2. All information, including records and documents, held by the City of Melville is considered relevant to performance of an Elected Member of the City of Melville.**
- 3. Inclusion of relevant definitions including information, records and documents as defined by relevant legislation.**
- 4. Where information is not provided to Elected Members, a reason must be given and the item to be addressed by the Governance Committee within 14 days.**
- 5. Where no reason or information has been provided, the item is to be addressed by the Governance Committee within 21 days after the information was first sought by the Elected Member.**
- 6. The policy is not to include any non-legislative advice.**

The policy is to be presented to the Council at the Ordinary Meeting of Council on the 20th of October 2020 for final approval.



REASONS:

A new Council Policy is required to clearly outline the access to information for City of Melville Elected Members.

It is fundamental to the role of Elected Members in carrying out their duties to be able to access information, including records and documents, of the organisation they govern and oversee.

Elected Members' access to information, including access to documents created and held by the local governments they oversee and govern, is clearly set out in the *Local Government Act 1995*:

5.92. Access to information by council, committee members

(1) A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.

Any record held by a local government is relevant to an Elected Member who governs and oversees that organisation. Any record held by the City of Melville is relevant to an Elected Member of the City of Melville.

SIGNATURE: _____