



Department of  
**Local Government, Sport  
and Cultural Industries**

Our ref BL1-1#10 E1915795  
Enquiries Stuart Fraser  
Phone (08) 6552 1586  
Email stuart.fraser@dlgsc.wa.gov.au

Ms Lisa Hollands  
Chairperson  
Belmont Resident and Ratepayer Action Group  
2 Miller Avenue  
REDCLIFFE WA 6104

Dear Ms Hollands

### **ACCESS TO EMPLOYEE CONTRACTS**

I refer to your correspondence dated 15 June 2019 regarding the difficulty you are experiencing in obtaining a copy of the City of Belmont CEO's and Director of Statutory and Community Services employment contracts.

As you may be aware, section 5.94(t) of the *Local Government Act 1995* (the Act) provides that a person has the right to inspect, during office hours, free of charge and in the form or medium in which it is held, any contract under section 5.39 of the Act and any variation of such contract.

The only restrictions that apply relate to prescribed private information in Regulation 29A(1) of the *Local Government (Administration) Regulations 1996* in accordance with section 5.95(5) of the Act. The information that is prescribed as private in nature is the name, address and other personal details of the employee and details regarding a bank or other financial institution for the purpose of crediting an employee's remuneration and other benefits.

It is the Department's view that you are entitled to have access to information held by a local government in accordance with section 5.94 of the Act and in particular the written employment contract of the CEO. The provision of the employment contract of the CEO and senior employees is limited only by the specific restrictions prescribed under section 5.95(5).

On the information provided, it is the Departments view that the City is not required to make available for inspection the employment contract for the Director of Statutory and Community Services, as the City has indicted that Ms Hamman, is not a designated senior employee.

Gordon Stephenson House, 140 William Street  
PO Box 8349 Perth Business Centre, WA 6849  
Telephone (08) 6552 7300  
Email [info@dlgsc.wa.gov.au](mailto:info@dlgsc.wa.gov.au)  
Web [www.dlgsc.wa.gov.au](http://www.dlgsc.wa.gov.au)

Given the above information, it is suggested that you may wish to resubmit your request to inspect the CEO's contract in accordance with section 5.94(t) of the Act.

You may also wish to draw the City's attention to the contents of this letter and the Department's view that the CEO's contract and any variation to that contract is to be made available for public inspection as provided in the Act.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Duncan Ord', with a stylized flourish at the end.

Duncan Ord OAM  
Director General

28 June 2019