

Council Policy P700

Developers and Lobbyists

Strategic Direction		Leadership	
Responsible Business Unit/s		Governance	
Responsible Officer		Manager Governance	
Affected Business Unit/s		All Business Units	

Policy Objectives

This policy provides guidance to Council Members on associations and interactions with developers and lobbyists.

Policy Scope

This Policy applies to all “Prescribed contact” between Council Members and Developers, as defined in this Policy.

Policy Provisions

Applicants, objectors and members of the community must have trust in Council Members’ ability to make decisions free of influence or the perception of influence, particularly in respect of town planning and development decisions.

Whilst contact with developers may occur as a function of the role of a Council Member, implementing transparent decision-making processes reduces the perception of bias, influence or corruption.

Any involvement that a Council Member has with a development application during its assessment has the potential to damage the integrity of the final determination. To avoid prejudicing the eventual decision, Council Members must not make up their minds about a development application until they have read the officer's reports and heard all the debate.

Process for Council Members

1. Subject to clause 2 below, Council Members shall:
 - a. In writing, record every instance of prescribed contact by noting the:
 - Developer or lobbyist name
 - Date and time of contact
 - Type of contact
 - Nature of any offer made
 - Property or properties within the City which relates to that contact
 - Nature of the issue covered in the contact
 - Council Member's response
 - b. Subject to sub-clause (c) below, not more than 10 days after contact with the developer or lobbyist, provide to the City's Chief Executive Officer (CEO) the details referred to in sub-clause (a) above.
 - c. Where the prescribed contact occurs with a Council Member while they are on Approved Leave of Absence, then that Council Member shall provide the information referred to in sub-clause (a) above to the City's CEO within 10 days of the last day of their Approved Leave of Absence.
 - d. Where prescribed contact occurs in the form of a group email or other correspondence to all Council Members, a copy is to be provided to the CEO for the purpose of compliance with clauses 2 and 3 below.
2. This policy does not require Council Members to disclose contact defined as exempt contact.
3. The CEO shall maintain a register of all Council Member contact with developers and lobbyists, incorporating the details referred to in sub-clauses 1(a) and (d) above. Such register shall be made publicly available in an electronic format on the City's website.
4. The CEO shall ensure the public register referred to in 3 above, is updated on a quarterly basis.
5. Council Members must not, when lobbied, commit their vote on a planning or development proposal.

6. Information gained by a Council Member(s) at a meeting with a Developer and/or Lobbyist should be made available to the CEO and other Council Members as soon as practicable.
7. Council Members should refuse an invitation they receive from Developers and/or Lobbyists to attend meetings between the City and the Developer or Lobbyist. Attendance by Council Members at meetings between the City and Developers or Lobbyists may only occur with the approval of the CEO.
8. To maintain a high degree of integrity, Council Members should not accept any personal gifts from a developer or lobbyist.

Policy Definitions

‘Contact’ means any communication, conversation or an offer or acceptance of a gift or assistance between a Council Member or Council Member candidate, and a developer or lobbyist regardless of whether it is foreseen, planned, solicited or reciprocated, and includes but is not limited to the following: telephone, email, SMS, multimedia messaging service (MMS), facsimile, web-based networking platforms, written mail, face to face, offers of financial support, social media direct messages etc.

‘Developer’ means an individual, body, trust or company (or a person with a financial interest in a body, trust or company) engaged in a business that involves the making of a relevant planning or development proposal in connection with the development and/or use of land, with the ultimate purpose of the sale or lease of the land for profit.

‘Lobbyist’ includes any consultant, advisor, agent, representative or person closely associated with a developer and who promotes or advocates for a developer’s interest or proposal.

‘Exempt contact’ means any contact which:

- (a) Is made at a Council Forum, Council Briefing or Council Meeting; or
- (b) Does not involve the Council Member engaging in any discussion or communication with the developer on a planning or development proposal.

‘Planning or Development Proposal’ means and includes:

- (a) A proposed Local Planning Policy or amendment to a Local Planning Policy under the City’s Local Planning Scheme;
- (b) A proposed Structure Plan or Local Development Plan;
- (c) A proposed amendment to the City’s Heritage List;

- (d) A proposed amendment to the Metropolitan Region Scheme or the City's Local Planning Scheme;
- (e) An application under the City's Local Planning Scheme or the Metropolitan Region Scheme for approval of the use or development of land and which is currently before or at the time of contact known to require determination by Council or, Development Assessment Panel, or any other determining body.

'Prescribed contact' means any contact between a Council Member and a developer or lobbyist relating to a planning or development proposal for which a developer or lobbyist is a proponent, excluding any exempt contact.

Document Control Box			
Legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996		
Organisational:	City of South Perth Code of Conduct for Council Members, Committee Members and Candidates P698 Attendance at Events Policy		
Version #	Decision:	OCM Date:	Resolution Number:
1	Initial Adoption	22 March 2022	0322/027
2	Adopted	28 July 2026	0726/163