

6.3 Councillor Developer Contact Policy - Review

Report Author: David Thompson, Director Governance and Legal

Report Presenter: David Thompson, Director Governance and Legal

Executive Leader: Mans Bassi, Chief Operating Officer

Executive Summary

1. The Developer Contact Policy (the Policy) was adopted by the Council on 28 May 2024 and came into effect from 1 July 2024. The Policy was scheduled to be reviewed by the Council in May 2025.
2. The Policy has been reviewed by the Governance and Legal Branch. The review found the existing processes, procedures and guidelines in the Policy for councillor interactions with developers in relation to land use or development is transparent, consistent and ensures public accountability in decision making processes.
3. To maintain the highest standards of integrity and public trust in City of Melbourne planning decisions, the Governance and Legal Branch have identified it is appropriate for the Policy to reflect and formalise the same obligations within the Policy apply to the Chief Executive Officer. These obligations have applied to the Chief Executive Officer from 1 March 2025 onwards.

Recommendation from management

4. That Council resolve:
 - 4.1. To adopt the Developer Contact Policy as annexed to the Minutes.
 - 4.2. A copy of the Developer Contact Policy be placed on the Council website.

Purpose

5. The purpose of this report is to inform councillors on the outcome of the review of the Developer Contact Policy (the Policy).

Background

6. At the Council meeting held on 28 May 2024, the Council adopted the Policy. A copy of the Policy is at **Attachment 1**. The Policy came into effect on 1 July 2024.
7. The Policy was scheduled to be reviewed by the Council in May 2025. The Policy has now been reviewed by the Governance and Legal Branch.

Key considerations

8. The review found the Policy is working well. The existing processes, procedures and guidelines in the Policy for councillor interactions with developers in relation to land use or development is transparent, consistent and ensures public accountability in decision making processes.
9. There has also been no feedback from the community, councillors or Council officers on the operation of the Policy. Therefore, the Governance and Legal Branch has formed the view minimal change is required to the Policy.
10. To maintain the highest standards of integrity and public trust in City of Melbourne planning decisions, the Governance and Legal Branch did identify it is appropriate for the Policy to reflect and formalise the same obligations within the Policy apply to the Chief Executive Officer. These obligations have applied to the Chief Executive Officer from 1 March 2025 onwards.
11. The revised Policy can be found at **Attachment 2**. The track changes tool has been used to identify the proposed changes to the Policy. A clean copy of the Policy is at **Attachment 3**.

Legal

12. Legislation that informs and supports the Policy includes the *Local Government Act 2020*, the *Planning and Environment Act 1987* and the *Local Government (Governance and Integrity) Regulations 2020*.

Finance

13. There are no financial implications as a result of the recommendation from management.

Conflict of interest

14. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a material or general conflict of interest in relation to the matter of the report.

Charter of Human Rights and Responsibilities

15. The recommendation contained in this report is compatible with the *Charter of Human Rights and Responsibilities Act 2006*.

Health and Safety

16. In developing this report, no Occupational Health and Safety issues or opportunities have been identified.

Consultation

17. The Chief Executive Officer and the Executive Leadership Team were consulted in the preparation of this report.

Relevance to Council Plan and Council Policies

18. At the Council meeting held on 28 May 2024, the Council adopted the Developer Contact Policy.

Social and environmental impactsSocial impacts

19. In developing this report no social impacts were identified.

Environmental impacts

20. In developing this report no environmental impacts were identified.

Gender Impact Assessment

21. In developing this report no gender impact assessment was required.

Attachment List

1. Master - Developer Contact Policy [6.3.1 - 9 pages]
2. Revised Developer Contact Policy Track Changes July 2025 [6.3.2 - 11 pages]
3. Revised Developer Contact Policy Clean Copy July 2025 [6.3.3 - 10 pages]



Developer Contact Policy

Adopted by Melbourne City Council on 28 May 2024

Developer Contact Policy

Contents

1.	Background	1
2.	Purpose	1
3.	Scope	1
4.	Definitions	2
5.	Date of Commencement	3
6.	Contact with Interested Parties	3
7.	Disclosure	4
8.	Responsibilities	5
9.	Related Legislation and Policies	6
10	Review	6
	Appendix A (Developer Contact Register for Councillors)	7

Developer Contact Policy**1. Background**

Councillors interacting with Interested Parties, lobbyists and submitters is a longstanding feature of the City of Melbourne's planning system.

Councillors collectively act from time to time as the decision-makers (or advisors to the Minister Planning as decision-maker) for a range of matters to be determined under the *Planning and Environment Act 1987*. Councillors will accordingly come into frequent contact with all participants in the planning system, including Interested Parties, lobbyists and submitters, all of whom are entitled to exercise their legal rights and be heard.

In order to maintain the highest standards of integrity and public trust in City of Melbourne planning decisions, this policy creates a framework to define and report any relevant contact between Councillors and Interested Parties, lobbyists and submitters outside of formal meetings of the Council.

2. Purpose

This policy provides a mechanism for Councillors to record and make public their contact with an Interested Party. The policy provides clarity on:

- Councillor interactions with an Interested Party in matters relating to land use and development;
- Ethical conduct for Councillors when dealing with an Interested Party who have made, or are proposing to make submissions in relation to land use and/or development or proposed changes to the Melbourne Planning Scheme;
- Transparency, consistency and public accountability in the planning process; and
- Ensuring the Council acts as both a Planning Authority and Responsible Authority in full compliance with both legal and ethical standards.

3. Scope

This policy applies to any and all contact between Councillors and an Interested Party in the City of Melbourne with regard to land use and Development related matters.

This policy does not apply to a social interaction that does not discuss land use and Development matters between Councillors and other persons simply because those other persons are an Interested Party. However, Councillors are reminded of their obligation to both avoid conflicts of interest and disclose potential conflicts of interest and are required to carefully consider possible implications of social interaction with an Interested Party.

Developer Contact Policy

4. Definitions

Term	Definition
the Act	means the Local Government Act 2020
Contact	means any communication or conversation between a Councillor and an Interested Party, regardless of whether it is foreseen, planned, solicited or reciprocated, and includes but is not limited to the following methods of communication – telephone, electronic communication (e-mail etc.), short message service (SMS/text message), multimedia messaging service (MMS), social media platforms, written mail, face to face, facsimile, etc
Council	means the City of Melbourne
Councillor/s	means a Councillor or Councillors of the City of Melbourne, including the Lord Mayor and Deputy Lord Mayor
Interested Party	Means a person, business or organisation that a Councillor knows, or reasonably should know, has a material interest in a development in the City of Melbourne. It also extends to a lobbyist, submitter, consultant, advocate, advisor, representative, agent or other related party when they are acting on behalf or in the interests of an Interested Party
Development	means a property or land development proposal that is underway, planned or contemplated that may become the subject of a decision to be made by a resolution of the Melbourne City Council or its Future Melbourne Committee. These decisions may include, but are not limited to, a change to the City of Melbourne Planning Scheme, the issuance of a planning permit, the sale of Council property and the discontinuance of a Council road
Exempt Contact	means: (a) Contact with an Interested Party, meaning contact between a Councillor and an Interested Party that either does not reference a Development or where any such reference is immediately curtailed. Examples of incidental contact include, but are not limited to: <ul style="list-style-type: none"> • a chance encounter in the street where pleasantries are exchanged • the receipt by a Councillor of an email invitation to inspect a site, and an email reply declining the offer • an unsolicited post on a Councillor’s facebook page with a comment by the Councillor directing the commenter to contact the planning office

Developer Contact Policy

	<ul style="list-style-type: none"> • the attendance by both a Councillor and an Interested Party at a large community event where the Interested Party asks the Councillor a question about a Development, and the Councillor immediately states that they do not wish to discuss the matter and ends the topic of conversation (b) Social contact with an Interested Party, meaning contact between a Councillor and Interested Party in a social setting that either does not reference a Development or where any such reference is immediately curtailed (c) Formal contact with an Interested Party at a Future Melbourne Committee meeting or Council meeting, such as where an Interested Party addressed the meeting in relation to a matter listed on the agenda (d) Contact with an Interested Party in relation to matter with which the Councillor has a conflict of interest which has previously been disclosed in a personal interests return. Examples of exempt contact include, but are not limited to: <ul style="list-style-type: none"> • ongoing contact with a business colleague who is conducting property development activity in the municipality • a Councillor who has a family member who is an architect with many projects in the municipality • where a Councillor themselves is an Interested Party
Lobbyist	means a person or entity that carries out a lobbying activity for a third-party client, such as an Interested Party, or whose employees or contractors carry out a lobbying activity for a third party
Prescribed Contact	means any contact relating to a Development, including proposals in a preliminary stage, for which the Interested Party is a proponent, excluding any Exempt Contact
Routine Information	means advising an Interested Party where to access information on the Development or to contact the City of Melbourne administration or State Government regarding their Development proposal
Submitter	means a person or entity that makes, or proposes to make, an objection or a submission to a Development

5. Date of Commencement

This Policy comes into effect on 1 July 2024.

6. Contact with Interested Parties

Council recognises that every person, organisation and interest group has a right to put a case forward to elected officials as part of the decision-making process.

Developer Contact Policy

Further, Council recognises that Councillors have an obligation to become informed about matters which are subject to Council decisions.

In fulfilling their obligation to make informed decisions, Councillors may interact with an Interested Party in relation to matters likely to come before them for a decision.

Council also recognises the significant risks involved in the exercising of its powers in relation to Development matters, given the potentially significant impact such decisions can have on property values. This, in the absence of robust and transparent integrity measures, can create a perception of improper conduct on the part of decision-makers.

In order to maintain community confidence in Council's contact with Interested Parties:

- Councillors will declare conflicts of interest in accordance with the Act and Council's Governance Rules. Conflicts of interest declared by Councillors at a Future Melbourne Committee meeting or Council meeting are included in a register and published on Council's website.
- Councillors will, by reporting under this policy, disclose contact with an Interested Party. Contact with an Interested Party disclosed by Councillors are published on Council's website.
- Any Prescribed Contact of the type that is a meeting with an Interested Party must not occur except in the presence of a planning officer appointed by the Director Planning and Building Branch.

7. Disclosure

- 1) Subject to clause 2 below, Councillors shall:
 - a) In writing, record every instance of Contact with an Interested Party that occurs before or during the decision making process for any Development by noting the:
 - Name
 - Interested Party Name or Descriptor
 - Date and time of contact
 - Type / method of contact
 - Property or properties within the City of Melbourne to which the contact related
 - Purpose of Contact

In order to comply with the *Privacy and Data Protection Act 2014*, the names of the parties to an interaction (other than Councillors) will not be released, and will instead be substituted with a descriptor to enable the reader to understand the relationship of the third party to Council. For example, the parties may be described as "the landowner of 1234 Wombat Crescent and a Director of XYZ Planning Consultants" rather than using the individual's names. Names of businesses or organisations will be provided.

Developer Contact Policy

- b) Subject to sub-clause (c) below, not more than 14 business days after contact with the Interested Party, provide to the Chief Executive Officer the details referred to in sub-clause (a) above.
 - c) Where the Prescribed Contact occurs with a Councillor while they are on Approved Leave of Absence, then that Councillor shall provide the information referred to in subclause (a) above to the Chief Executive Officer within 14 days of the last day of their Approved Leave of Absence and / or 14 days of the email read receipt of that communication.
 - d) Where the Prescribed Contact occurs in the form of a group email or other correspondence to all Councillors, then the Office of the Lord Mayor shall provide a copy of the same to the Chief Executive Officer for the purpose of compliance with clause 2 below.
- 2) The Chief Executive Officer shall ensure the publication on the Council website on a monthly basis of a register of all Prescribed Contact generally in accordance with **(Appendix A)**.

8. Responsibilities

It is compulsory for Councillors to record Prescribed Contact. The declaration of Prescribed Contact is the direct responsibility of the individual Councillor.

An online form is available for record keeping purposes. A Developer Contact Register for Councillors form should be completed within 14 business days of the meeting taking place.

The Governance Branch (on behalf of the Chief Executive Officer) is responsible for publishing the register.

As the sole responsibility of recording Prescribed Contact lies with Councillors, Council staff hold no responsibility to update or check the developer contact register, other than publishing the register via the website.

For all queries or feedback regarding this policy, please contact the Director Governance on 9658 9658.

Developer Contact Policy**9. Related Legislation and Policies**

There is a range of legislation, codes and Council documents that informs and supports this Policy. This includes, but is not limited to:

Legislation	Council Documents
<i>Freedom of Information Act 1982 (Vic)</i> <i>Local Government Act 2020 (Vic)</i>	Councillor Code of Conduct Councillor Gift Policy
<i>Planning and Environment Act 1987 (Vic)</i>	Councillor Respectful Conduct Policy
<i>Privacy and Data Protection Act 2014 (Vic)</i>	Delegation Policy for Planning Applications
<i>Public Records Act 1973 (Vic)</i>	Governance Rules
<i>Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>	Privacy and Data Protection Policy
<i>Local Government (Governance and Integrity) Regulations 2020</i>	Public Transparency Policy

10. Review

This policy will be reviewed by Council by May 2025 or, if the State Government has legislated before May 2025 to materially change powers of Councils in relation to planning matters, as soon as practicable after those legislative changes.



Developer Contact Policy

Adopted by Melbourne City Council on 29 July 2025 ~~28~~
~~May 2024~~

Developer Contact Policy

Contents

1.	Background	1	
2.	Purpose	1	
3.	Scope	1	
4.	Definitions	2	
5.	Date of Commencement	3	
6.	Contact with Interested Parties	3	
7.	Disclosure	4	
8.	Responsibilities	5	
9.	Related Legislation and Policies	6	
10	Review-Other		6
11	Review	6	
12	Version History	6	
	Appendix A (Developer Contact Register for Councillors)	7	

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Developer Contact Policy

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Developer Contact Policy

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For all queries or feedback regarding this policy, please contact the Director Governance [and Legal](#) on 9658 9658.

Developer Contact Policy

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Legislation	Council Documents
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<i>Planning and Environment Act 1987 (Vic)</i>	Councillor Respectful Conduct Policy and Staff Interaction Policy
<i>Privacy and Data Protection Act 2014 (Vic)</i>	Delegation Policy for Planning Applications
<i>Public Records Act 1973 (Vic)</i>	Governance Rules
<i>Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>	Privacy and Data Protection Policy
<i>Local Government (Governance and Integrity) Regulations 2020</i>	Public Transparency Policy

10. Other

[The same responsibilities and accountabilities in this Policy also apply to the Chief Executive Officer.](#)

11. Review

This policy will be reviewed by Council [by May 2025 in June 2029](#) or, if the State Government has legislated before [May 2025–June 2029](#) to materially change powers of Councils in relation to planning matters, as soon as practicable after those legislative changes.

12. Version History

- [Developer Contact Policy](#) [Adopted by Council on 28 May 2024](#)
- [Developer Contact Policy](#) [Adopted by Council on 29 July 2025](#)

Developer Contact Policy



DEVELOPER CONTACT FORM FOR COUNCILLORS

This form is to be used for any and all contact between Councillors and an Interested Party in the City of Melbourne with regard to land use and Development related matters.

Form fields including: Councillor Name, Date of contact, Time of contact, Type / Method of contact (checkboxes for Telephone, Mobile, E-mail, SMS/text message, MMS, LinkedIn, Instagram, X, Written mail, Face to face, Other), Interested Party Name, Interested Party Company, Interested Party Title, Interested Party Descriptor (checkboxes for Lobbyist, Submitter, Consultant, Representative, Advisor, Advocate, Agent, Other), Property or properties within the City of Melbourne to which the contact related, Purpose of Contact, Signature, Date.

Developer Contact Policy

The Developer Contact Policy (DM [17871091](#)) applies to any and all contact between Councillors and an Interested Party in the City of Melbourne with regard to land use and Development related matters.

An **Interested Party** means a person, business or organisation that a Councillor knows, or reasonably should know, has a material interest in a development in the City of Melbourne. It also extends to a lobbyist, submitter, consultant, advocate, advisor, representative, agent or other related party when they are acting on behalf or in the interests of an Interested Party.

Exempt Contact includes:

- Contact between a Councillor and an Interested Party that either does not reference a Development or where any such reference is immediately curtailed. Examples of incidental contact include, but are not limited to:
 - a chance encounter in the street where pleasantries are exchanged
 - the receipt by a Councillor of an email invitation to inspect a site, and an email reply declining the offer
 - an unsolicited post on a Councillor’s facebook page with a comment by the Councillor directing the commenter to contact the planning office
 - the attendance by both a Councillor and an Interested Party at a large community event where the Interested Party asks the Councillor a question about a Development, and the Councillor immediately states that they do not wish to discuss the matter and ends the topic of conversation
- Social contact with an Interested Party, meaning contact between a Councillor and Interested Party in a social setting that either does not reference a Development or where any such reference is immediately curtailed
- Formal contact with an Interested Party at a Future Melbourne Committee meeting or Council meeting, such as where an Interested Party addressed the meeting in relation to a matter listed on the agenda
- Contact with an Interested Party in relation to matter with which the Councillor has a conflict of interest which has previously been disclosed in a personal interests return. Examples of exempt contact include, but are not limited to:
 - ongoing contact with a business colleague who is conducting property development activity in the municipality
 - a Councillor who has a family member who is an architect with many projects in the municipality
 - where a Councillor themselves is an Interested Party

Responsibilities

- The form should be completed within 14 business days of the contact taking place and provided to the Director Governance (on behalf of the Chief Executive Officer).
- The Governance Branch (on behalf of the Chief Executive Officer) is responsible for publishing the register on Council’s website on a monthly basis.
- Where the Prescribed Contact occurs with a Councillor while they are on Approved Leave of Absence, then that Councillor shall provide the form within 14 days of the last day of their Approved Leave of Absence and / or 14 days of the email read receipt of that communication.
- Where the Prescribed Contact occurs in the form of a group email or other correspondence to all Councillors, then the Office of the Lord Mayor shall provide a copy of the same to the Chief Executive Officer.
- As the sole responsibility of recording Prescribed Contact lies with Councillors, Council staff hold no responsibility to update or check the developer contact register, other than publishing the register via the website.
- All queries regarding compliance with the Developer Contact Policy or completing the form, are to be made to the Director Governance.

Privacy Statement: *The personal information requested on this form is being collected by Council to declare Prescribed Contact for the purposes of the Developer Contact Policy (the Polic). It is compulsory for Councillors to record Prescribed Contact in accordance with the Policy. The personal information will be used solely by Council for that primary purpose or directly related purposes. Council will disclose this information to the public in a register on the Council website in accordance with the Policy (names of the parties to an interaction (other than Councillors) will not be published on the Council website and will instead be substituted with a descriptor to enable the reader to understand the relationship of the third party to Council). If this information is not collected the councillor may fail in the discharging of their obligations under the Developer Contact Policy. Application may be made under the Freedom of Information Act 1982 for access to and/or amendment of the information.*

Administrative Use Only:

Received by:..... Date:.....

Developer Contact Policy





Developer Contact Policy

Adopted by Melbourne City Council on 29 July 2025

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Contents

1.	Background	1
2.	Purpose	1
3.	Scope	1
4.	Definitions	2
5.	Date of Commencement	3
6.	Contact with Interested Parties	3
7.	Disclosure	4
8.	Responsibilities	5
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10	Other	6
11	Review	6
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- Ethical conduct for Councillors when dealing with an Interested Party who have made, or are proposing to make submissions in relation to land use and/or development or proposed changes to the Melbourne Planning Scheme;
- Transparency, consistency and public accountability in the planning process; and
- Ensuring the Council acts as both a Planning Authority and Responsible Authority in full compliance with both legal and ethical standards.

3. Scope

This policy applies to any and all contact between Councillors and an Interested Party in the City of Melbourne with regard to land use and Development related matters.

This policy does not apply to a social interaction that does not discuss land use and Development matters between Councillors and other persons simply because those other persons are an Interested Party. However, Councillors are reminded of their obligation to both avoid conflicts of interest and disclose potential conflicts of interest and are required to carefully consider possible implications of social interaction with an Interested Party.

Developer Contact Policy

4. Definitions

Term	Definition
the Act	means the Local Government Act 2020
Contact	means any communication or conversation between a Councillor and an Interested Party, regardless of whether it is foreseen, planned, solicited or reciprocated, and includes but is not limited to the following methods of communication – telephone, electronic communication (e-mail etc.), short message service (SMS/text message), multimedia messaging service (MMS), social media platforms, written mail, face to face, facsimile, etc
Council	means the City of Melbourne
Councillor/s	means a Councillor or Councillors of the City of Melbourne, including the Lord Mayor and Deputy Lord Mayor
Interested Party	Means a person, business or organisation that a Councillor knows, or reasonably should know, has a material interest in a development in the City of Melbourne. It also extends to a lobbyist, submitter, consultant, advocate, advisor, representative, agent or other related party when they are acting on behalf or in the interests of an Interested Party
Development	means a property or land development proposal that is underway, planned or contemplated that may become the subject of a decision to be made by a resolution of the Melbourne City Council or its Future Melbourne Committee. These decisions may include, but are not limited to, a change to the City of Melbourne Planning Scheme, the issuance of a planning permit, the sale of Council property and the discontinuance of a Council road
Exempt Contact	means: (a) Contact with an Interested Party, meaning contact between a Councillor and an Interested Party that either does not reference a Development or where any such reference is immediately curtailed. Examples of incidental contact include, but are not limited to: <ul style="list-style-type: none"> • a chance encounter in the street where pleasantries are exchanged • the receipt by a Councillor of an email invitation to inspect a site, and an email reply declining the offer • an unsolicited post on a Councillor's facebook page with a comment by the Councillor directing the commenter to contact the planning office

Developer Contact Policy

	<ul style="list-style-type: none"> • the attendance by both a Councillor and an Interested Party at a large community event where the Interested Party asks the Councillor a question about a Development, and the Councillor immediately states that they do not wish to discuss the matter and ends the topic of conversation (b) Social contact with an Interested Party, meaning contact between a Councillor and Interested Party in a social setting that either does not reference a Development or where any such reference is immediately curtailed (c) Formal contact with an Interested Party at a Future Melbourne Committee meeting or Council meeting, such as where an Interested Party addressed the meeting in relation to a matter listed on the agenda (d) Contact with an Interested Party in relation to matter with which the Councillor has a conflict of interest which has previously been disclosed in a personal interests return. Examples of exempt contact include, but are not limited to: <ul style="list-style-type: none"> • ongoing contact with a business colleague who is conducting property development activity in the municipality • a Councillor who has a family member who is an architect with many projects in the municipality • where a Councillor themselves is an Interested Party
Lobbyist	means a person or entity that carries out a lobbying activity for a third-party client, such as an Interested Party, or whose employees or contractors carry out a lobbying activity for a third party
Prescribed Contact	means any contact relating to a Development, including proposals in a preliminary stage, for which the Interested Party is a proponent, excluding any Exempt Contact
Routine Information	means advising an Interested Party where to access information on the Development or to contact the City of Melbourne administration or State Government regarding their Development proposal
Submitter	means a person or entity that makes, or proposes to make, an objection or a submission to a Development

5. Date of Commencement

This Policy comes into effect on 29 July 2025.

6. Contact with Interested Parties

Council recognises that every person, organisation and interest group has a right to put a case forward to elected officials as part of the decision-making process.

Developer Contact Policy

Further, Council recognises that Councillors have an obligation to become informed about matters which are subject to Council decisions.

In fulfilling their obligation to make informed decisions, Councillors may interact with an Interested Party in relation to matters likely to come before them for a decision.

Council also recognises the significant risks involved in the exercising of its powers in relation to Development matters, given the potentially significant impact such decisions can have on property values. This, in the absence of robust and transparent integrity measures, can create a perception of improper conduct on the part of decision-makers.

In order to maintain community confidence in Council's contact with Interested Parties:

- Councillors will declare conflicts of interest in accordance with the Act and Council's Governance Rules. Conflicts of interest declared by Councillors at a Future Melbourne Committee meeting or Council meeting are included in a register and published on Council's website.
- Councillors will, by reporting under this policy, disclose contact with an Interested Party. Contact with an Interested Party disclosed by Councillors are published on Council's website.
- Any Prescribed Contact of the type that is a meeting with an Interested Party must not occur except in the presence of a planning officer appointed by the Director Planning and Building Branch.

7. Disclosure

- 1) Subject to clause 2 below, Councillors shall:
 - a) In writing, record every instance of Contact with an Interested Party that occurs before or during the decision making process for any Development by noting the:
 - Name
 - Interested Party Name or Descriptor
 - Date and time of contact
 - Type / method of contact
 - Property or properties within the City of Melbourne to which the contact related
 - Purpose of Contact

In order to comply with the *Privacy and Data Protection Act 2014*, the names of the parties to an interaction (other than Councillors) will not be released, and will instead be substituted with a descriptor to enable the reader to understand the relationship of the third party to Council. For example, the parties may be described as "the landowner of 1234 Wombat Crescent and a Director of XYZ Planning Consultants" rather than using the individual's names. Names of businesses or organisations will be provided.

Developer Contact Policy

- b) Subject to sub-clause (c) below, not more than 14 business days after contact with the Interested Party, provide to the Chief Executive Officer the details referred to in sub-clause (a) above.
 - c) Where the Prescribed Contact occurs with a Councillor while they are on Approved Leave of Absence, then that Councillor shall provide the information referred to in subclause (a) above to the Chief Executive Officer within 14 days of the last day of their Approved Leave of Absence and / or 14 days of the email read receipt of that communication.
 - d) Where the Prescribed Contact occurs in the form of a group email or other correspondence to all Councillors, then the Office of the Lord Mayor shall provide a copy of the same to the Chief Executive Officer for the purpose of compliance with clause 2 below.
- 2) The Chief Executive Officer shall ensure the publication on the Council website on a monthly basis of a register of all Prescribed Contact generally in accordance with **(Appendix A)**.

8. Responsibilities

It is compulsory for Councillors to record Prescribed Contact. The declaration of Prescribed Contact is the direct responsibility of the individual Councillor.

An online form is available for record keeping purposes. A Developer Contact Register for Councillors form should be completed within 14 business days of the meeting taking place.

The Governance Branch (on behalf of the Chief Executive Officer) is responsible for publishing the register.

As the sole responsibility of recording Prescribed Contact lies with Councillors, Council staff hold no responsibility to update or check the developer contact register, other than publishing the register via the website.

For all queries or feedback regarding this policy, please contact the Director Governance and Legal on 9658 9658.

Developer Contact Policy**9. Related Legislation and Policies**

There is a range of legislation, codes and Council documents that informs and supports this Policy. This includes, but is not limited to:

Legislation**Council Documents**

Freedom of Information Act 1982 (Vic)
Local Government Act 2020 (Vic)

Model Councillor Code of Conduct
Councillor Gift Policy

Planning and Environment Act 1987 (Vic)

Councillor and Staff Interaction Policy

Privacy and Data Protection Act 2014 (Vic)

Delegation Policy for Planning Applications

Public Records Act 1973 (Vic)

Governance Rules

Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic)

Privacy and Data Protection Policy

Local Government (Governance and Integrity) Regulations 2020

Public Transparency Policy

10. Other

The same responsibilities and accountabilities in this Policy also apply to the Chief Executive Officer.

11. Review

This policy will be reviewed by Council in June 2029 or, if the State Government has legislated before June 2029 to materially change powers of Councils in relation to planning matters, as soon as practicable after those legislative changes.

12. Version History

- | | |
|----------------------------|------------------------------------|
| • Developer Contact Policy | Adopted by Council on 28 May 2024 |
| • Developer Contact Policy | Adopted by Council on 29 July 2025 |

Developer Contact Policy



DEVELOPER CONTACT FORM FOR COUNCILLORS

This form is to be used for any and all contact between Councillors and an Interested Party in the City of Melbourne with regard to land use and Development related matters.

Form fields including: Councillor Name, Date of contact, Time of contact, Type / Method of contact (checkboxes for Telephone, Mobile, E-mail, SMS/text message, MMS, LinkedIn, Instagram, X, Written mail, Face to face, Other), Interested Party Name, Interested Party Company, Interested Party Title, Interested Party Descriptor (checkboxes for Lobbyist, Submitter, Consultant, Representative, Advisor, Advocate, Agent, Other), Property or properties within the City of Melbourne to which the contact related, Purpose of Contact, Signature, Date.

DM # 17852764: DEVELOPER CONTACT FORM FOR COUNCILLORS

Developer Contact Policy

The Developer Contact Policy (DM [17871091](#)) applies to any and all contact between Councillors and an Interested Party in the City of Melbourne with regard to land use and Development related matters.

An **Interested Party** means a person, business or organisation that a Councillor knows, or reasonably should know, has a material interest in a development in the City of Melbourne. It also extends to a lobbyist, submitter, consultant, advocate, advisor, representative, agent or other related party when they are acting on behalf or in the interests of an Interested Party.

Exempt Contact includes:

- Contact between a Councillor and an Interested Party that either does not reference a Development or where any such reference is immediately curtailed. Examples of incidental contact include, but are not limited to:
 - a chance encounter in the street where pleasantries are exchanged
 - the receipt by a Councillor of an email invitation to inspect a site, and an email reply declining the offer
 - an unsolicited post on a Councillor’s facebook page with a comment by the Councillor directing the commenter to contact the planning office
 - the attendance by both a Councillor and an Interested Party at a large community event where the Interested Party asks the Councillor a question about a Development, and the Councillor immediately states that they do not wish to discuss the matter and ends the topic of conversation
- Social contact with an Interested Party, meaning contact between a Councillor and Interested Party in a social setting that either does not reference a Development or where any such reference is immediately curtailed
- Formal contact with an Interested Party at a Future Melbourne Committee meeting or Council meeting, such as where an Interested Party addressed the meeting in relation to a matter listed on the agenda
- Contact with an Interested Party in relation to matter with which the Councillor has a conflict of interest which has previously been disclosed in a personal interests return. Examples of exempt contact include, but are not limited to:
 - ongoing contact with a business colleague who is conducting property development activity in the municipality
 - a Councillor who has a family member who is an architect with many projects in the municipality
 - where a Councillor themselves is an Interested Party

Responsibilities

- The form should be completed within 14 business days of the contact taking place and provided to the Director Governance (on behalf of the Chief Executive Officer).
- The Governance Branch (on behalf of the Chief Executive Officer) is responsible for publishing the register on Council’s website on a monthly basis.
- Where the Prescribed Contact occurs with a Councillor while they are on Approved Leave of Absence, then that Councillor shall provide the form within 14 days of the last day of their Approved Leave of Absence and / or 14 days of the email read receipt of that communication.
- Where the Prescribed Contact occurs in the form of a group email or other correspondence to all Councillors, then the Office of the Lord Mayor shall provide a copy of the same to the Chief Executive Officer.
- As the sole responsibility of recording Prescribed Contact lies with Councillors, Council staff hold no responsibility to update or check the developer contact register, other than publishing the register via the website.
- All queries regarding compliance with the Developer Contact Policy or completing the form, are to be made to the Director Governance.

***Privacy Statement:** The personal information requested on this form is being collected by Council to declare Prescribed Contact for the purposes of the Developer Contact Policy (the Polic). It is compulsory for Councillors to record Prescribed Contact in accordance with the Policy. The personal information will be used solely by Council for that primary purpose or directly related purposes. Council will disclose this information to the public in a register on the Council website in accordance with the Policy (names of the parties to an interaction (other than Councillors) will not be published on the Council website and will instead be substituted with a descriptor to enable the reader to understand the relationship of the third party to Council). If this information is not collected the councillor may fail in the discharging of their obligations under the Developer Contact Policy. Application may be made under the Freedom of Information Act 1982 for access to and/or amendment of the information*

Administrative Use Only:

Received by:..... Date:.....