



ELECTED MEMBER DECLARATION OF CONTACT WITH DEVELOPERS POLICY

POLICY NUMBER: EXEC-CEO-020

PURPOSE

The purpose of this policy is to support Council and the City in providing the highest standards of transparency and openness in town planning and development decision-making, and to avoid perceptions of bias or undue influence.

SCOPE

This policy applies to all Elected Members.

DEFINITIONS

CEO means the Chief Executive Officer of the City.

City means the City of Kalgoorlie-Boulder.

Council means the body of Elected Members who govern the City.

Contact means any communication or conversation between an Elected Member and a Developer, in relation to a development or planning application in the City, regardless of whether it is foreseen, planned, solicited or reciprocated.

Developer means an individual, body corporate or company engaged in a business that:

- a. regularly involves the making of planning or development proposals for land, with the ultimate purpose of the sale or lease of the land for profit; and
- b. includes any consultant, lobbyist, advisor, agent, representative or person closely associated with a developer and who is appointed to promote or advocate for the developer's interests or proposal, except when they are representing someone who is not regularly involved in the making of planning or development proposals for land.

Elected Member means a Councillor, including the Mayor, elected to the Council.

Planning or Development Proposal means and includes:



- a. a proposed Local Planning Policy or amendment to a Local Planning Policy under the City's operative Town Planning Scheme;
- b. a proposed amendment to the City's operative Town Planning Scheme;
- c. an application under the City's operative Town Planning Scheme for approval of the use or development of land; and
- d. which is currently before or at the time of contact known to require determination by Council or the Joint Development Assessment Panel.

POLICY STATEMENT

Council is committed to best practices in governance, including adhering to principles of transparency and accountability and adopts this policy in furtherance of those principles.

POLICY DETAILS

1. Declaration of contact with Developers

All elected members are to record any contact they have with developers and to notify the CEO in writing within 10 days of the contact occurring.

Elected Members must disclose to the CEO in writing the following details:

- a. The name of Developer with whom the Contact was made;
- b. In the event the Contact was made with a representative of the Developer, or the Developer is a body corporate, company or trust, the names of all relevant controlling officers of the entity that will undertake the potential or proposed development;
- c. Date and time of Contact;
- d. Nature of the Contact;
- e. Property or properties within the City to which the Contact related;
- f. Nature of the issue covered during the Contact;
- g. Elected Member's response; and
- h. Where Contact occurs in the form of a group email or other correspondence to all Elected Members, then a copy of the correspondence must be provided to the CEO for the purpose of compliance with this policy.

2. Register to be kept by CEO



- a. A declaration by an Elected Member shall be made in writing to the CEO.
- b. The CEO shall keep up to date and publish on the City’s website a Register of Elected Member Contact with Developers.
- c. The CEO may develop and maintain management guidelines to detail the process for managing and publishing the register.

3. Exemptions

- a. Planning or Development Proposals with a Residential Design Code of R25 or below are exempt from this policy.
- b. Contact does not include any contact in the form of a public statement made at a Council Forum, Council Briefing or Council Meeting or similar, or contact that involves the Council Member engaging in any discussion or communication with the developer on the planning or development proposal at these occasions.

COMPLIANCE REQUIREMENTS

RELATED LEGISLATION

RELEVANT DOCUMENTS

DOCUMENT CONTROL		
Responsible department		
Date adopted by Council	26 June 2023	



Date of last review	June 2023	Policy reviewed and amended
Date of next review	June 2025	