



Council Policy

Councillor Interaction with Lobbyists, Developers and Submitters Policy

Department/Unit	Governance & Risk	First Implemented	18 August 2026	Review Date	August 2030
Origin	Coordinator Governance & Risk	Reviewed	-	Version	1
Authorising Officer	Endorsement by Council	Effective From	18 August 2026	Records Reference	E1533

Purpose/Objective

Mansfield Shire Council (Council), in its role as the Responsible Authority for deciding planning permit applications or as Planning Authority for proposed amendments to the Mansfield Planning Scheme, is required to make significant decisions that influence the built form and land-use patterns of the municipality.

As part of their role, Councillors may receive information from developers regarding current or upcoming projects to assist their understanding of matters that may come before Council. Any engagement with lobbyists, developers and submitters relating to statutory and strategic planning matters must be conducted with impartiality, ethical standards and transparency.

The objectives of this Policy are to ensure the transparent and responsible exercise of duties by elected representatives by:

- ▶ Ensuring that interactions between Council representatives and lobbyists, developers and submitters, are conducted in an open, transparent and accountable manner.
- ▶ Providing guidance to Councillors on appropriate interactions with lobbyists, developers and submitters through clearly defining expectations regarding Councillor behaviour, decision-making and actions.
- ▶ Ensuring that the Council acts as both a Planning Authority and Responsible Authority in full compliance with both legal and ethical standards.
- ▶ Mitigating risks associated with the determination of planning applications and planning scheme amendments such as real and perceived conflicts of interest and unethical or corrupt conduct.
- ▶ Providing reporting mechanisms that are available to the community, including maintaining registers required by the various Acts or regulations and in accordance with the Public

Transparency Policy.

Scope

This policy is relevant to Mansfield Shire elected Councillors in their interactions with lobbyists, developers and submitters.

This policy applies to all development requiring a planning permit.

Policy Statement

To support transparent, consistent and accountable decision-making in statutory planning matters, the following principles apply to Councillor interactions with lobbyists, developers and submitters or their representatives:

- ▶ Councillors are encouraged to refer all enquiries from lobbyists, developers and submitters, or their representatives, to Council's Planning Department to ensure that accurate and consistent advice is provided and appropriate records of interactions are maintained.
- ▶ Where a Councillor engages in discussions with a lobbyist, developer or submitter, or their representative, regarding a current or proposed planning permit or development plan application, or planning scheme amendment, it is considered good practice to involve relevant Council officers in any meeting or discussion enabling any material information discussed is subsequently provided to Council officers for the public record.
- ▶ Councillors will avoid attending private meetings or discussions about current or proposed planning applications where a senior Council officer is not present.

Interaction between Councillors, lobbyists and developers regarding planning applications or planning scheme amendments

One-on-one interactions with lobbyists and developers can potentially lead to accusations of bias against a Councillor(s) involved.

At all times, Councillors are expected to abstain from knowingly participating in or engaging with lobbyist efforts aimed at influencing Councillor decision-making on planning matters.

Any individual interaction or one-on-one meetings between Councillors and lobbyists and/or developers should generally be avoided, particularly where a pending or current planning application or planning scheme amendment is before Council.

Where Councillors interact with lobbyists and/or developers, Councillors must adhere to the following:

- a) Councillors must disclose any conflicts of interest, whether general or material, in accordance with Part 6, Division 2 of the *Local Government Act 2020* and Mansfield Shire Council Governance Rules.
- b) Councillors will explicitly state that they cannot provide definitive advice concerning a matter or proposal. Instead, they can offer general information about Council procedures, processes and policies.

- c) Councillors must refrain from providing any technical planning advice and avoid any pre-conceived bias on planning decisions by not expressing a final opinion on a planning matter until they have thoroughly reviewed the Council officer's reports and listened to all perspectives in debate.
- d) Councillors must emphasise that any opinions expressed by the Councillor are their personal views and do not represent the Council's potential stance on the prospective application or planning scheme amendment.
- e) Councillors must not solicit or accept any gift, in accordance with the Mansfield Shire Council Gifts, Benefits and Hospitality Policy.
- f) Councillors should not attend any meeting, including on-line meetings with lobbyists and developers without a senior Council officer present.

Additionally, where interacting with lobbyists and/or developers in relation to planning applications or planning scheme amendments, Councillors may:

- a) Be open to discussing the benefits of developing within Mansfield Shire and promoting development that supports the achievement of Council's Council Plan, Community Vision, strategic objectives and adopted positions.
- b) Highlight Council's policies and strategic positions and freely discuss publicly available information about a particular matter or proposal.
- c) Encourage lobbyists and developers to obtain independent professional advice (where applicable) but not recommend any particular person or company.
- d) Advise applicants to consider contacting Council officers for advice and to arrange a pre-application meeting with Council officers.
- e) Suggest that developers engage in discussions with their neighbours about their potential application, as early resolution of concerns can save time.

Interaction between Councillors and submitters

It is common for individuals making submissions, including objections to planning permit applications or planning scheme amendments, to actively engage with Councillors to advocate their positions or express concerns about planning applications on a frequent basis.

When interacting with submitters, Councillors must exercise caution in providing advice and limit their interaction to listening to the concerns and offering general information about Council procedures, processes and policies.

Councillors must register interactions with a submitter(s) if a Councillor considers it is necessary to address any perceived or real concerns regarding inappropriate or corrupt behaviour, conflicts of interest or if a submitter has attempted to unduly influence a Councillor's stance on a planning matter.

Other Forms of Interaction

Periodically, arrangements may be made for Councillors to receive briefings from applicants concerning noteworthy planning proposals. This is done to ensure that Councillors are well-

informed about matters that may impact the Shire and/or be the subject of broader community interest. Such briefings serve to enable Councillors to be more comprehensively informed, providing them capacity to pose inquiries, request additional information and equip them to address potential community questions more effectively.

A Senior Council officer(s) must be in attendance at these meetings.

Attending meetings and documenting interactions with lobbyists and/or developers

Councillors engaging in meetings with planning lobbyists and/or developers should only do so when they are adequately briefed about the nature of the matter or a specific planning application.

Any meeting requests from lobbyists and/or developers should be managed through official Council channels, being the Mayor and CEO office or via existing statutory and strategic planning processes.

Councillors engaging in meetings with lobbyists and/or developers should be accompanied by a Senior Council officer.

This will enable a written record to be maintained relating to any meetings or interactions with lobbyists and/or developers where they seek to directly engage on a planning matter before Council (or likely to come before Council), which must include:

- a) Names and titles of all attendees (and organisations they represent)
- b) The date and time of the interaction
- c) The format of the interaction (e.g., relevant meeting, phone call, email or written correspondence)
- d) A summary of the discussions that took place including matters covered/key points discussed
- e) A summary of the Councillor's response to the interaction/matters discussed.

These written records will be provided to the Governance Department where a copy will be placed in the corresponding file within Council's records management system.

In addition, Council will maintain and have available for public inspection, a register of interactions and meetings of Councillors with lobbyists and/or developers, noting that access to the public register will uphold the requirements of the *Privacy and Data Protection Act 2014*.

Matters relating to enforcement, public hearings or mediations

Councillors will not involve themselves in any enforcement or compliance issues. Any approaches made to a Councillor, from a lobbyist, landowner, developer and submitter should be referred to Council officers for response, to avoid any actual or perceived influence on a compliance process.

Councillors may receive requests to attend hearings before Planning Panels Victoria, VCAT compulsory conferences, mediations or hearings, or Magistrates Court hearing in support of a submitter or developer on a matter that has been determined by Council (including under

delegation by Council officers). In accordance with the Model Councillor Code of Conduct, Councillors should only attend such hearings to observe and in support of the formal position of Council as the Responsible Authority or Planning Authority.

Definitions

Term	Definition
Developer	An individual, government agency or any other entity seeking to develop land for benefit through an application for a planning approval, planning scheme amendment or a comparable process, whether they are in the process of applying or considering applying. This encompasses consultants, advisors, agents, representatives, or individuals closely linked with the developer, who are designated to endorse or promote the developer's interests or proposal. The definition of Developers for the purpose of this policy is typically: • A business or individual who is seeking to gain Council approval for the development of land for more than one dwelling or to use or develop land for commercial purposes.
Interacting/Interaction	Any interaction, engagement or meeting, irrespective of whether it was expected, planned, solicited or reciprocated and includes all methods of communication whether verbal, electronic or otherwise, but excludes instances where: • a Councillor has not responded to unsolicited communication (including phone messages or emails). • interactions that do not relate directly to a specific planning matter. • where any reference to a planning matter has been sufficiently restricted so as not to invoke provisions of this policy – Councillor discretion is to be used.
Lobbyist	An individual or organisation that engages in lobbying activities on behalf of a third-party client, such as a developer, or whose employees or contractors conduct lobbying activities for an external entity within Mansfield Shire.
Meetings	Interactions that can be face to face, online or via a phone call to specifically consider a planning application or planning scheme amendment.

Term	Definition
Planning Application	Any application that requires assessment pursuant to the <i>Planning and Environment Act 1987</i> , the provisions of the Mansfield Planning Scheme or a planning permit.
Planning Permit	A legal document that gives permission for a use or development on a particular piece of land in accordance with Part 4 of the <i>Planning and Environment Act 1987</i> , including any conditions placed upon the permit.
Planning Scheme Amendment	An amendment to the planning scheme under Part 3 of the <i>Planning and Environment Act 1987</i> .
Submitter	A person who makes a submission, including objections, about a planning application or planning scheme amendment currently before Council.

Responsibilities

Overall responsibility for the application of this Policy and guidance for circumstances that are not provided for under this Policy is held by the Chief Executive Officer.

Councillors are required to ensure that any interaction with developers and/or lobbyists is conducted in accordance with this policy and is reported to the Governance Department.

The Governance Department is responsible for overseeing and maintaining the Register of Interactions with lobbyists, developers and submitters.

Any reviews of this Policy must be made in consultation with the Coordinator Governance & Risk and Manager People, Communications & Governance.

References / Related Policies

- ▶ *Local Government Act 2020*
- ▶ *Planning & Environment Act 1987*
- ▶ *Subdivision Act 1988*
- ▶ *Victorian Charter of Human Rights and Responsibilities Act 2006*
- ▶ *Privacy and Data Protection Act 2014*
- ▶ Model Councillor Code of Conduct
- ▶ Mansfield Shire Council Gifts, Benefits and Hospitality Policy
- ▶ Mansfield Shire Council Governance Rules
- ▶ Mansfield Shire Council Conflict of Interest Policy
- ▶ Mansfield Shire Council Councillor and Council Staff Interaction Policy

- ▶ Mansfield Shire Council Fraud and Corruption Control Policy and Plan
- ▶ Mansfield Shire Council Public Interest Disclosure Policy
- ▶ Mansfield Shire Council Statutory Planning Applications - Referral to Council Policy
- ▶ Local Government Inspectorate - Interactions with developers must be appropriate (August 2022)

Gender Impact Assessment

The Councillor Interaction with Lobbyists, Developers and Submitters Policy has considered the Gender Equality Act 2020 in its preparation but is not relevant to its content. The Policy has been assessed as not requiring a Gender Impact Assessment (GIA).

Implementation

This Policy is effective from 18 August 2026.

Review Date

This Policy is to be reviewed by August 2030.

Authorisation to Implement Policy

Signed: _____ Witnessed: _____
Councillor Chief Executive Officer

Approval dated: 18 August 2026

Mansfield Shire Council reserves the right to review, vary or revoke this Policy at any time.