

Relevant Information for Council

FILE: X103625 **DATE:** 4 April 2024

TO: Lord Mayor and Councillors

FROM: Kirsten Morrin, Director Legal and Governance

THROUGH: Monica Barone PSM, Chief Executive Officer

SUBJECT: Information Relevant To Item 6.3 – Adoption - Councillor Meetings with Registered Lobbyists and Property Developers Policy

Alternative Recommendation

It is resolved that:

- (A) Council adopt the draft Councillor Meetings with Registered Lobbyists and Property Developers Policy, as shown at Attachment A to the ***subject Information Relevant To Memorandum;***
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Councillor Meetings with Registered Lobbyists and Property Developers Policy in order to correct any minor drafting errors, update the form from time to time as required and to finalise design and accessible formats for publication; and
- (C) Council note that the Office of Local Government may publish guidelines on these matters and a further report will be brought to Council if required.

Purpose

An amended policy has been prepared in response to matters raised by Councillors and is recommended for adoption.

Background

At the Corporate, Finance, Properties and Tenders Committee Meeting of 25 March 2024 Councillors requested clarification on some matters relating to the draft Councillor Meetings with Registered Lobbyists and Property Developers Policy in relation to a number of matters. Amendments have been made to the policy and an updated version, Attachment A to this Information Relevant To Memorandum, is recommended for adoption.

It is noted that there will always be issues of interpretation and discretion arising in the application of policies of this nature. Councillors are required to consider the nature and purpose of any meetings they have with relevant parties in the context of the purpose of the policy and their general obligations under the Code of Conduct when determining whether to make a declaration.

Meetings held in other capacities

An additional sentence has been added to clarify that this policy applies only to meetings held in the capacity of Councillor of the City of Sydney Council or to matters directly related to the City of Sydney Council.

Meetings held with Councillor staff

A sentence has been added to confirm that the policy applies only to meetings attended by the Lord Mayor or a Councillor.

Definition of property developer

An additional limb has been added to this definition to capture any party proposing development that would be subject to a resolution of Council and/or the Central Sydney Planning Committee. This would capture meetings related to developer-led planning proposals and major development as defined in the City of Sydney Act 1988 (being development over the value of \$50 million) regardless of whether they are put forward by 'for profit' or 'not for profit' entities.

Definition of meeting

A definition of meeting has been added to clarify that includes both in person and remote meetings. Further information is included in the policy to clarify that this includes both scheduled meetings and substantial discussions held outside formal meetings. For example, an unscheduled encounter at a coffee shop with a property developer which develops into a half hour discussion about a specific matter should be recorded and declared under the Policy.

Code of Conduct

Further clarification is provided about the interaction between the Policy and the Code of Conduct, particularly in relation to property matters.

Meeting requests

It is clarified that Councillors are only required to declare meetings requests they attend, not all meeting requests.

Memo from Kirsten Morrin, Director Legal and Governance

Prepared by: Nellette Kettle, Manager Risk and Governance

Attachments

Attachment A. Revised Councillor Meetings with Registered Lobbyists and Property Developers Policy

Approved

P. M. Barone

MONICA BARONE PSM

Chief Executive Officer