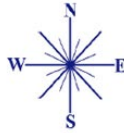


CENTRAL DARLING SHIRE COUNCIL

CONSTITUED 1 MAY 1959
ABN: 65 061 502 439

E-MAIL: council@centraldarling.nsw.gov.au
WEBSITE: www.centraldarling.nsw.gov.au

PLEASE ADDRESS ALL
CORRESPONDENCE TO:
THE GENERAL MANAGER
PO BOX 165
WILCANNIA NSW 2836



PHONE: (08) 8083 8900
FAX: (08) 8091 5994

COUNCIL CHAMBERS
21 REID STREET
WILCANNIA NSW 2836

DECLARATION OF AFFILIATIONS OF INTEREST AND DISCLOSURE OF DONATIONS OR GIFTS

PLANNING AND ASSESSMENT ACT 1979

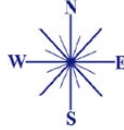
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Application Number (If applicable):	Date Received:
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This form is to be used to make a political donations and gifts disclosure under section 10.4 of the Environmental Planning Assessment Act 1979 for planning or development applications or public submissions to these applications lodged with Central Darling Shire Council.

The form is to be completed by the applicant for a planning or development application, or those persons making a submission to the application.

Please read the following information before filling out the Disclosure Statement on page 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms). Once completed, please attach the completed declaration to your planning or development application or submission.

Explanatory information

Making a planning application to a Council:

Under Section 10.4 of the Environmental Planning and Assessment Act 1979 ('the Act') a person who makes a relevant planning application to a council is required to disclose the following reportable political donations and gifts (if any) made by any person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

Making a public submission to a Council:

Under Section 10.4 of the Act a person who makes a relevant public submission to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

A reference in Section 10.4 of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under Section 10.4 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

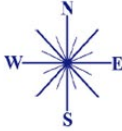
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What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under Section 10.4 for political donations and Section 10.4 for gifts.

This document includes a Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council. Note: A separate Disclosure Statement Template is available for disclosures to the Minister or the Planning Secretary of the Department of Planning

Warning: A person is guilty of an offence under section 9.6 of the Environmental Planning and Assessment Act 1979 in connection with the obligations under Section 10.4 only if the person fails to make a disclosure of a political donation or gift in accordance with section 10.4 that the person knows, or ought reasonably to know, was made and is required to be disclosed under Section 10.4. The maximum penalty for any such offence is the maximum penalty under Part 6 of the Election Funding and Disclosures Act 1981 for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both

Glossary of Terms

gift means a gift within the meaning of the [Electoral Funding Act 2018](#).

Note—

A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

local councillor means a councillor (including the mayor) of the council of a Local Government Area.

relevant planning application means—

- (a) a formal request to the Minister, a council or the Planning Secretary to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
- (b) a formal request to the Minister or the Planning Secretary for development on a particular site to be made State significant development or State significant infrastructure or declared a project to which Division 4.7 applies, or
- (b1) an application for approval of State significant infrastructure (or for the modification of the approval for any such infrastructure), or
- (c) an application for approval of a concept plan or project under Division 4.7 (or for the modification of a concept plan or of the approval for a project), or
- (d) an application for development consent under Part 4 (or for the modification of a development consent), or
- (e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application, but does not include—
- (f) an application for (or for the modification of) a complying development certificate, or
- (g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
- (h) any other application or request that is excluded from this definition by the regulations.

relevant public submission means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

reportable political donation means a reportable political donation within the meaning of the [Electoral Funding Act 2018](#) that is required to be disclosed under that Act.

Note—

Reportable political donations include those of or above \$1,000.

(3) A person—

- (a) who makes a relevant planning application to the Minister or the Planning Secretary is required to disclose all reportable political donations (if any) made within the relevant period to anyone by any person with a financial interest in the application, or
 - (b) who makes a relevant public submission to the Minister or the Planning Secretary in relation to the application is required to disclose all reportable political donations (if any) made within the relevant period to anyone by the person making the submission or any associate of that person.
- The relevant period is the period commencing 2 years before the application or submission is made and ending when the application is determined.

(4) A person who makes a relevant planning application to a council is required to disclose the following reportable political donations and gifts (if any) made by any person with a financial interest in the application within the period commencing 2 years before the application is made and ending when the application is determined—

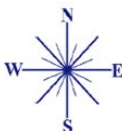
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- (a) all reportable political donations made to any local councillor of that council,
- (b) all gifts made to any local councillor or employee of that council.

A reference in this subsection to a reportable political donation made to a local councillor includes a reference to a donation made at the time the person was a candidate for election to the council.

(5) A person who makes a relevant public submission to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any associate of that person within the period commencing 2 years before the submission is made and ending when the application is determined—

- (a) all reportable political donations made to any local councillor of that council,
- (b) all gifts made to any local councillor or employee of that council.

A reference in this subsection to a reportable political donation made to a local councillor includes a reference to a donation made at the time the person was a candidate for election to the council.

(6) The disclosure of a reportable political donation or gift under this section is to be made—

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement to the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

(7) For the purposes of this section, a person has a financial interest in a relevant planning application if—

- (a) the person is the applicant or the person on whose behalf the application is made, or
- (b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- (c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- (d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

(8) For the purposes of this section, persons are associated with each other if—

- (a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- (b) they are related bodies corporate under the [Corporations Act 2001](#) of the Commonwealth, or
- (c) they are directors of the same body corporate, or they are directors of different bodies corporate that are related bodies corporate under the [Corporations Act 2001](#) of the Commonwealth, or
- (d) one is a director of a body corporate and the other is the body corporate or a related body corporate under the [Corporations Act 2001](#) of the Commonwealth, or
- (e) they have any other relationship prescribed by the regulations.

(9) The disclosure of reportable political donations under this section is to include disclosure of the following details of each such donation made during the relevant disclosure period—

- (a) the name of the party or person for whose benefit the donation was made,
- (b) the date on which the donation was made,
- (c) the name of the donor,
- (d) the residential address of the donor (in the case of an individual) or the address of the registered or other official office of the donor (in the case of an entity),
- (e) the amount (or value) of the donation,
- (f) in the case of a donor that is an entity and not an individual—the Australian Business Number of the entity,
- (g) in relation to the disclosure of a political donation that is a reportable political donation by operation of section 6(2) of the [Electoral Funding Act 2018](#)—details that separately identify that political donation and the earlier political donation or donations with which it is aggregated under that subsection.

Note—

The above details are the details required to be disclosed of political donations under the [Electoral Funding Act 2018](#).

(10) The disclosure of gifts under this section is to include disclosure of the following details of each such gift made during the relevant disclosure period—

- (a) the name of the person to whom the gift was made,
- (b) the date on which the gift was made,
- (c) the name of the person who made the gift,

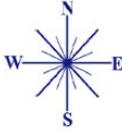
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- (d) the residential address of the person who made the gift (in the case of an individual) or the address of the registered or other official office of the person who made the gift (in the case of an entity),
- (e) the amount (or value) of the gift.

(11) A person is guilty of an offence against this section if the person fails to make a disclosure of a political donation or gift in accordance with this section that the person knows, or ought reasonably to know, was made and is required to be disclosed under this section. The maximum penalty for any such offence is the maximum penalty under the [Electoral Funding Act 2018](#) for making a false statement in a declaration of disclosures lodged under that Part.

(12) Disclosures of reportable political donations and gifts under this section are to be made available to the public on, or in accordance with arrangements notified on—

- (a) a website maintained by the Department (in the case of planning applications or submissions made to the Minister or the Planning Secretary), or
 - (b) a website maintained by the council (in the case of planning applications or submissions made to that council).
- The disclosures are to be made so available within 14 days after the disclosures are made under this section.

(13) This section applies to relevant planning applications or submissions made after the commencement of this section and, in relation to any such application or submission, extends to political donations or gifts made before that commencement.

a person has a financial interest in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

persons are associated with each other if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- b) they are related bodies corporate under the Corporations Act 2001 of the Commonwealth, or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or they have any other relationship prescribed by the regulations.

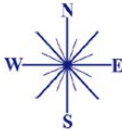
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Political Donations and Gifts Disclosure Statement to Central Darling Shire Council.

If you are required under S10.7 of the Environmental Planning and Assessment Act 1979 to disclose any political donations or gifts (see pages 1, 2 & 3 for details), please fill in this form and sign below.

Disclosure Statement Details					
Name of person making this disclosure statement				Planning application reference (e.g. DA number, planning application title or reference, property address or other description)	
Person's interest in the application (circle relevant option below)					
You are the APPLICANT YES / NO OR You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION					
Reportable political donations or gifts made by person making this declaration or by other relevant persons					
* State below any reportable political donations or gifts you have made over the 'relevant period' (see glossary on page 2). If the donation or gift was made by an entity (and not by you as an individual) include Australian Business Number (ABN).					
* If you are the applicant of a planning application state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR					
* If you are a person making a submission in relation to an application, state below any reportable political donations or gifts that you know, or ought reasonably to know, were made by you or an associate of yours.					
*					
Donation or gift?	Name of donor (or ABN if an entity); or name of person who made the gift	Donor's residential address or entity's registered address or other official office of the donor; address of person who made the gift or entity's address	Name of party or person for whose benefit the donation was made; or person to whom the gift was made	Date donation or gift was made	Amount/ value of donation or gift
Please list all reportable political donations and gifts—additional space is provided overleaf if required.					
By signing below, I/ we hereby declare that all information contained within this statement is accurate at the time of signing.					
Signature(s):					
Date:					
Name(s):					