



BUSINESS PAPER

**Economic and Community
Sustainability Committee Meeting
Wednesday, 13 July 2022**

INVERELL SHIRE COUNCIL**NOTICE OF ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING**

8 July, 2022

An Economic and Community Sustainability Committee Meeting will be held in the Committee Room, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 13 July, 2022, commencing at **10:30AM**.

Your attendance at this Economic and Community Sustainability Committee Meeting would be appreciated.

Please Note: Under the provisions of the Code of Meeting Practice the proceedings of this meeting (including presentations, deputations and debate) will be recorded. The audio recording of the meeting will be uploaded on the Council's website at a later time. Your attendance at this meeting is taken as consent to the possibility that your voice may be recorded and broadcast to the public.

I would like to remind those present that an audio recording of the meeting will be uploaded on the Council's website at a later time and participants should be mindful not to make any defamatory or offensive statements.

P J HENRY PSM

GENERAL MANAGER

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Ethical Decision Making and Conflicts of Interest

A guiding checklist for Councillors, officers and community committees

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, Councillors can choose to either disclose and vote, disclose and not vote or leave the Chamber.

The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

- 1st** Do I have private interests affected by a matter I am officially involved in?
2nd Is my official role one of influence or perceived influence over the matter?
3rd Do my private interests conflict with my official role?

Local Government Act 1993 and Model Code of Conduct

For more detailed definitions refer to Sections 442, 448 and 459 or the *Local Government Act 1993* and Model Code of Conduct, Part 4 – conflicts of interest.

Disclosure of pecuniary interests / non-pecuniary interests

Under the provisions of Section 451(1) of the *Local Government Act 1993* (pecuniary interests) and Part 4 of the Model Code of Conduct prescribed by the Local Government (Discipline) Regulation (conflict of interests) it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

A Declaration form should be completed and handed to the General Manager as soon as practicable once the interest is identified. Declarations are made at Item 3 of the Agenda: Declarations - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed: The Declaration Forms can be downloaded at [Disclosure of pecuniary interests form](#) or [non-pecuniary interests form](#)

Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan;
- Inverell Shire Council Delivery Plan; and
- Inverell Shire Council Operational Plan.



1 APOLOGIES

2 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Economic and Community Sustainability Committee Meeting held on 8 June, 2022, as circulated to members, be confirmed as a true and correct record of that meeting.

**MINUTES OF INVERELL SHIRE COUNCIL
ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 8 JUNE 2022 AT 10:30AM**

PRESENT: Cr Paul King OAM (Chairperson), Cr Paul Harmon (Mayor), Cr Kate Dight, Cr Nicky Lavender and Cr Jo Williams.

IN ATTENDANCE: Cr Stewart Berryman, Cr Di Baker, Cr Jacko Ross and Cr Wendy Wilks.
Paul Henry (General Manager), Brett McInnes (Director Civil & Environmental Services) and Paul Pay (Director Corporate and Economic Services).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Nicky Lavender
Seconded: Cr Kate Dight

That the Minutes of the Economic and Community Sustainability Committee Meeting held on 11 May, 2022, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

Cr Ross declared a pecuniary interest in Item #5.2 'Sapphire Wind Farm Community Benefit Fund Committee Members' S2.7.10' the nature of his interest is Cr Ross has submitted an expression of interest to fill a community member position on the Sapphire Wind Farm Community Benefit Fund Committee.

Paul Pay declared a non-pecuniary (insignificant) interest in Item #8.1 – 'Expression of Interest to Lease 40 Campbell Street, Inverell', the nature of the interest is that Mr Pay has a family member that is an employee of an applicant to lease 40 Campbell Street.

4 NOTICES OF BUSINESS

4.1 NOTICE OF MOTION - ARTS NORTH WEST S26.5.4

COMMITTEE RESOLUTION

Moved: Cr Kate Dight
Seconded: Cr Paul Harmon

1. *That Council rescind Resolution 2022/66 authorising membership of Arts North West for 2022/2023.*

2. *That Arts North West be advised that Council withdraws membership of that organisation.*
3. *That Council investigate avenues for supporting cultural activities in the Shire through the strategic use of the funds in the cultural votes in Council's Operational Plan.*

CARRIED

5 DESTINATION REPORTS

5.1 COUNCILLOR SUPERANNUATION S22.30.3

COMMITTEE RESOLUTION

Moved: Cr Kate Dight

Seconded: Cr Nicky Lavender

That the Committee recommends to Council that:

1. *Council approve payment of the superannuation contribution payments in accordance with section 245B of the Local Government Act 1993;*
2. *Councillors who wish to receive the superannuation contribution payment at the current superannuation guarantee charge (10.5% in 2022-2023), complete the attached 'Superannuation Standard Choice' form and return it to the Director Corporate and Economic Services by COB 22 June, 2022; and*
3. *Councillors who wish to either forego the superannuation contribution payment or receive a payment that is less than the superannuation guarantee contribution (10.5% in 2022-2023), are required to notify the Director Corporate and Economic Services in writing by COB 22 June, 2022.*

CARRIED

At 10.44am, Cr Jacko Ross left the meeting having previously declared a pecuniary interest in relation to Item #5.2 'Sapphire Wind Farm Community Benefit Fund Committee Members S2.17.10'.

5.2 SAPPHIRE WIND FARM COMMUNITY BENEFIT FUND COMMITTEE MEMBERS S2.17.10

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That Council recommend Ben Swan and Jacko Ross as community members of the Sapphire Wind Farm Community Benefit Fund Committee.

CARRIED

At 10.48am, Cr Jacko Ross returned to the meeting.

5.3 EXPIRING LICENCE AGREEMENTS S5.10.65**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Jo Williams

That the Committee recommends to Council that the following Licence Agreements be renewed for a further term.

Macintyre High School – S5.10.19

- i) Council renew the agreement with Macintyre High School for Lot 1, DP 771853 Brissett Street, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;*
- ii) the licence fee be \$60.00 per annum (GST inclusive); and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

Paul Humphreys S5.10.34

- i) Council renew the agreement with Mr Paul Humphreys for Part Public Reserve and Part Unformed Road, Macintyre Street, Inverell for a three (3) year period with a three (3) year option under the same terms and conditions;*
- ii) The Licence fee be \$245.98 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

Colin Laidlaw – S5.10.38

- i) Council renew the agreement with Colin Laidlaw for Part Lot 549, DP 753287, north west corner of Cameron Park and part closed road, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;*
- ii) The licence fee to be \$501.50 per annum (GST Exclusive) with a 3% CPI increase per annum; and*
- iii) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

P and J Dixon S5.10.40

- i) Council renew the agreement with Mr Peter and Mrs Jennifer Dixon for Part Public Reserve, Old Bundarra Road, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;*
- ii) the licence fee be \$1449.10 per annum (GST inclusive) with a 3% increase per annum; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

Kameg Pty Ltd S5.10.45

- i) Council renew the agreement with Kameg Pty Ltd for Part of Ring Street, Adjacent to Lot 3, Section 1 DP 5609, Inverell, for a three (3) year period with a further three (3) year option under the same terms and conditions;
- ii) the licence fee to be \$933.21 per annum (GST inclusive) with a 3% increase per annum; and
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.

Grant Hoscher S5.10.70

- i) Council renew the agreement with Mr Grant Hoscher for Part Unformed Road adjoining Lot 133, DP 753287, Dog Trap Lane, Inverell, for a three (3) year period with a further three (3) year option under the same terms and conditions;
- ii) the licence fee to be \$75.35 per annum (GST inclusive) with a 3% increase per annum; and
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.

CARRIED**5.4 REFERRAL OF CONFIDENTIAL REPORTS****COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Paul Harmon

That the Committee move into Closed (Public excluded) meeting of the Committee and that the press and members of the public be asked to leave the chambers whilst the Committee considers the following items:

Item: #8.1 S32.10.1/14 – Request for Reduction in Water Account

Authority: Section 10A (2)(b) "The personal hardship of any resident or ratepayer." Local Government Act 1993.

Item: #8.2 S5.10.166 – Expression of Interest to Lease 40 Campbell Street, Inverell

Authority: Section 10A (2)(d)(i) "Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it" Local Government Act 1993.

CARRIED

6 INFORMATION REPORTS

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That the following information report be received and noted.

CARRIED

6.1 NSW PUBLIC LIBRARY ASSOCIATION NORTH EAST ZONE MEETING AND EXECUTIVE S3.6.1/16

7 GOVERNANCE REPORTS

7.1 GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2

COMMITTEE RESOLUTION

Moved: Cr Nicky Lavender

Seconded: Cr Kate Dight

The Committee recommend to Council that:

- i) the report indicating Council's Fund Management position be received and noted; and*
- ii) the Certification of the Responsible Accounting Officer be noted.*

CARRIED

8 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)

At 10.50am, the Chairperson noted that no members of the public or press were in attendance at the meeting therefore the Committee proceeded to consider the motion to close the meeting to the press and public.

COMMITTEE RESOLUTION

Moved: Cr Kate Dight

Seconded: Cr Jo Williams

That the Committee proceeds into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That the Committee proceeds out of Closed Committee into Open Committee.

CARRIED

Upon resuming Open Committee at 10.55am, the Chairperson verbally reported that the Committee had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend to Council the following:

**8.1 EXPRESSION OF INTEREST TO LEASE 40 CAMPBELL STREET INVERELL
S5.10.166**

RECOMMENDATION:

That the Committee recommends to Council that:

1. *Council enter into a three (3) year lease agreement with Brighter Access for the tenancy of 40 Campbell Street, Inverell with the general terms being in accordance with the Expression of Interest document;*
2. *the General Manager be authorised to extend the lease arrangement for an additional three (3) years provided Brighter Access continues to have a positive community purpose.*
3. *the General Manager be authorised to negotiate additional terms of the lease agreement; and*
4. *the General Manager be authorised to execute the lease agreement.*

**8.2 REQUEST FOR REDUCTION IN WATER ACCOUNT - INVERELL GOLF CLUB
S32.10.1/14**

RECOMMENDATION:

That the Committee recommends to Council that:

- i) *The report be received; and*
- ii) *Council provide a 50% reduction to water accounts issued between 21/12/2021 to 31/5/2022 totalling \$3,345.30.*

ADOPTION OF RECOMMENDATIONS**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That the recommendations of Closed Committee be adopted.

CARRIED

The Meeting closed at 10.58am.

3 DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

4 DESTINATION REPORTS

4.1 REQUEST FOR SPONSORSHIP - INVERELL'S GOT TALENT - ROTARY CLUB OF INVERELL EAST

File Number: S12.22.1/15 / 22/22471

Author: Kristy Paton, Corporate Support Officer - Publishing

SUMMARY:

Council has received a request from The Rotary Club of Inverell East, seeking sponsorship towards the cost of Inverell's Got Talent 2022. The Committee is asked to consider this request.

RECOMMENDATION:

A matter for the Committee.

COMMENTARY:

The Committee is advised that Inverell's Got Talent did not go ahead in 2021 due to Covid -19 restrictions. In June 2021, Council resolved (resolution 2021/60) *to donate an amount equivalent to 50% of the cost of Town Hall hire to the East Rotary Club of Inverell for the 2021 Inverell's Got Talent event.*

Council has received a letter from Mr Tim Newberry on behalf of the Inverell's Got Talent Committee advising Inverell's Got Talent will be going ahead this year and it is scheduled for 14 October 2022. Mr Newberry has requested that Council consider making a similar donation towards the 2022 event.

A copy of the correspondence received is attached.

In 2019, Council provided sponsorship in the amount of \$800. No sponsorship was provided in 2020 as the event was not held due to COVID 19 restrictions. The adopted donation in 2021 was not required as the event was cancelled due to COVID restrictions.

The estimated Town Hall fees for the 2022 event is \$585.00.

The Committee is asked to determine if it wishes to provide a contribution to The Rotary Club of Inverell East towards the cost of Inverell's Got Talent and if so, in what capacity.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

The amount of any donation that Council may grant would be funded from the donations vote. The donation vote has available funding of \$22,900.

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

1. Request for Donation - Inverell's Got Talent [📄](#)

ROTARY CLUB OF INVERELL EAST



DISTRICT 9650 R.I.

President: Larry Whitbread

P.O. Box 472

Secretary: David Ryan

Inverell, NSW 2360

www.inverelleastrotary.com.au

email: secretary@inverelleastrotary.org.au

Mr Paul Henry,

2/07/2022

General Manager,

Inverell Shire Council.

Dear Paul,

After a hiatus of two years due to the Pandemic, Inverell East Rotary is pleased to inform you that 'Inverell's Got Talent' will go ahead this year on Friday, 14th October, 2022. This is the first night of the 'Sapphire City Festival'.

After a recommendation from the 'Economic and Community Sustainability Committee' a Council Meeting on the 23rd June, 2021 agreed to support Inverell's Got Talent by donating 50% of the cost of the Town Hall Hire to the East Rotary Club for the 2021, Inverell's Got Talent. Unfortunately, the event had to be cancelled due to continued restrictions caused by Covid-19.

It would be appreciated if Council would see fit to make the same donation this year.

I look forward to your reply,

Tim Newberry,

Chairman,

Inverell's Got Talent Committee

4.2 HOMES FOR THE AGED - RESEALING INTERNAL ROADS**File Number:** S28.7.4/15 / 22/22533**Author:** Paul Henry, General Manager**SUMMARY:**

The Management Committee of the Homes for the Aged Inverell has requested a contribution towards the cost of resealing the internal roads of the Homes for the Aged in McIntyre Street, Inverell.

RECOMMENDATION:

A matter for the Committee.

COMMENTARY:

The Management Committee of the Homes for the Aged Inverell is an unincorporated entity, registered charity and run by local volunteer members. The Committee manage the 60 homes and community buildings in the complex located in McIntyre Street, Inverell. The constitution of this organisation lists Council as the Trustees of the assets of the Complex i.e. in the event of the 'wind up' of the Committee, all assets are to be transferred to Council.

The Committee has determined that the existing sealed roads of the Complex need to be resealed. Council was requested to provide a quote to undertake this work.

A quote in the sum of \$35,000 (including profit & contingency) was provided to the Committee.

Prior to the resealing work being undertaken drainage works will need to be undertaken. The Committee obtained an independent quote for this work. These costs will be met by the Committee. However, the Committee has written to Council seeking assistance with funding the costs of resealing. It is proposed by the Committee that the cost of the works be funded:

- 33.3% by the Committee
- 33.3% by Council; and
- 33.3% by an application for grant from the Sapphire Wind Farm Community Benefit Fund (SWFBF).

The 33.3% share of the quote is \$11,666.67. Please note the portion proposed to be funded from the SWFBF is a separate process to this application. The Committee acknowledge that if it was unsuccessful with the application, then the Committee would be responsible for this cost.

If Council believes that the request from the Committee for Council support has sufficient benevolent merit due to the service the Homes for the Aged provide to the community, then the options are:

Option 1 – Remove the 20% profit from the quote

Amount of donation: \$7K

Amount of 'shortfall': \$4,666.67

Option 2 – Remove the 20% profit and 10% contingency from the quote

Amount of donation: \$9.8K

Amount of 'shortfall': \$1,866.67

Option 3 – Make a donation of the full amount of the request.

Council is requested to determine a response to the Home for the Aged Committee's application.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

The amount of any donation that Council may grant would be funded from the donations vote. At the date of writing this report this vote has sufficient funds to meet the costs of all three options. (current balance \$22,900).

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

4.3 REQUEST FOR A REDUCTION IN A WATER USAGE ACCOUNT**File Number:** S4.11.17/14 / 22/22564**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

Referral of Confidential Reports.

RECOMMENDATION:

That the Committee move into Closed (Public excluded) meeting of the Committee and that the press and members of the public be asked to leave the chambers whilst the Committee considers the following items:

Item: #S28.7.4/15 – Request for Reduction in Water Usage Account

Authority: Section 10A (2)(a) “Personnel matters concerning particular individuals (other than councillors.)” Local Government Act 1993.

Item: #S5.2.0/15 – Rifle Range Road Subdivision – Expressions to Purchase

Authority: Section 10A (2)(d)(i) “Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it” Local Government Act 1993.

COMMENTARY:

The *Local Government Act 1993* (the Act), and the *Local Government (General) Regulation 2005* makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

“Personnel matters concerning particular individuals (other than councillors.)” (s.10A(2)(a) *Local Government Act 1993*)

“The personal hardship of any resident or ratepayer.” (s.10A(2)(b) *Local Government Act 1993*)

“Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.” (s.10A(2)(c) *Local Government Act 1993*)

“Commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret.” (s.10A(2)(d) *Local Government Act 1993*)

“Information that would, if disclosed, prejudice the maintenance of law.” (s.10A(2)(e) *Local Government Act 1993*)

“Matters affecting the security of the council, councillors, council staff or council property.” (s.10A(2)(f) *Local Government Act 1993*)

“Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.” (s.10A(2)(f) *Local Government Act 1993*)

“Information concerning the nature and location of a place or an item of Aboriginal significance on community land.” (s.10A(2)(h) *Local Government Act 1993*) .

It is recommended that, pursuant to Section 10A(2) of the *Local Government Act 1993* the matter be referred to Closed Committee for consideration as the matters and information are:

- a personnel matters concerning particular individuals (other than councillors).

On balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act, 1993*.

COMMENTARY:

In accordance with the provisions of Section 9 (2A) *Local Government Act 1993*, the General Manager is of the opinion that consideration of the following item(s) is likely to take place when the meeting is closed to the public.

Item: S28.7.4/15 – Request for Reduction in Water Usage Account

Description: Council has received a request for a reduction in a water account under the Council Water Usage Charges - Undetected Leaks Policy

Reason: Section 10A (2)(a) “Personnel matters concerning particular individuals (other than councillors.)” *Local Government Act 1993*.

Item: S5.2.0/15 – Rifle Range Road Subdivision – Expressions to Purchase

Description: Two Expressions of Interest to purchase land have been received. Council determination is required.

Reason: Section 10A (2)(d)(i) “Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it” *Local Government Act 1993*.

4.4 REQUEST FOR DONATION - DOWN-TO-EARTH INVERELL GARDEN GROUP

File Number: S12.22.1/15 / 22/22724

Author: Kristy Paton, Corporate Support Officer - Publishing

SUMMARY:

Council is in receipt of a letter from Susan Dolby on behalf of the Down-to-Earth Inverell Garden Group. A request has been made for a donation towards the Annual Open Gardens event. The Committee is requested to consider their request.

RECOMMENDATION:

A matter for the Committee.

COMMENTARY:

An Open Garden Day is being planned by the Down-to-Earth Inverell Garden Group for Saturday, 29 October, 2022. The group is trialling a different format this year with 9 gardens on display in the Brae Street area along with garden related demonstrations, stalls and refreshments and a Westpac Rescue Helicopter BBQ.

Since the event started in 2016 a total of \$20,000 has been raised for the Westpac Rescue Helicopter Service with the aim this year to raise \$4,000. In previous years the event has attracted 400 visitors from around the region.

The organisers are seeking a donation from Council for \$2,500 towards the event, this will assist with the costs of advertising and hiring of portable toilets on the day.

A copy of the correspondence received is attached.

The Committee is asked to determine if a donation will be made to the Group and in if so, in what capacity.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

It is noted that in Council's Donations Policy specific provision is made for an annual donation to Inverell Annual Garden Competition. The last donation made to the Inverell Garden Competition was in 2019, a donation of \$200 was made to the Garden Artist of the Year Competition.

Down to Earth Inverell Garden Group, is a separate entity to Inverell Garden Competition and this is the first request they have made.

CHIEF FINANCIAL OFFICERS COMMENT:

The amount of any donation that Council may grant would be funded from the donations vote. The Donation vote currently has available funding of \$22,900.

LEGAL IMPLICATIONS:

Nil

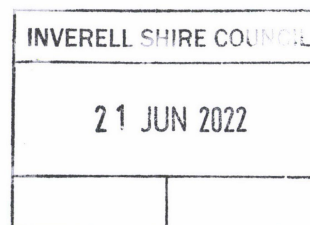
ATTACHMENTS:

1. Request for Donation - Annual Open Garden Event 2022 - Down-to-Earth Inverell Garden Group [↓](#)

Down-to-Earth Inverell Garden Group
PO Box 1058
Inverell NSW 2360

19.06.2022

Mr P Henry PSM
General Manager
Inverell Shire Council
PO Box 138
Inverell NSW 2360



Dear Mr Henry,

Once again, The Down-to-Earth Inverell Garden Group is in the process of organising its Annual Open Gardens event. This year we are trialling a different format by running a one-day event, showcasing the gardens of Brae Street and surrounding environs, as well as garden-related demonstrations, stalls, refreshments at a couple of the gardens and the Westpac Rescue Helicopter BBQ. This exciting event will be held on Saturday October 29th, 2022.

As Council would be aware, this event will not only showcase Inverell's beautiful gardens, but will also draw visitors from around the region. In previous years we have averaged 400 visitors to each of our gardens.

The aim of this event has also been to help our region and contribute to building a sense of community by providing an enjoyable, relaxing, and inexpensive family-friendly event whilst at the same time, raising money for the Westpac Rescue Helicopter Service, a vital service for this region. Since its inception in 2016, proceeds from the event amounting to \$20,000 have been given to the Westpac Rescue Helicopter Service. In the past, through 'Donation boxes' we have also raised money for Drought Relief and by inviting the local Red Cross to cater refreshments at one of the gardens, they have been able to raise money for their organisation. Our goal is to raise approximately \$4000 that once again, will be donated to the Westpac Rescue Helicopter Service.

We have nine gardens in the Brae Street area to open:

- 3 Brae St
- 7 Brae St
- 7A Brae St
- 15 Brae St
- 36 Brae St
- 51 Brae St
- 8 May St
- 19 Davey Street
- 59 Brae Street

We are seeking a grant of a \$2500 donation from Council towards this event that will assist greatly with expenses such as print-media advertising and the hiring of Port-a-loos etc. The provision of this donation will enable the Down-to-Earth Inverell Garden Group to increase our aid to those in our community.

We hope that we can count on your support.

Yours sincerely,

Susan Dolby
Organiser Down-to-Earth Inverell Garden Group
susan.dolby2211@gmail.com

5 INFORMATION REPORTS

5.1 PIONEER VILLAGE UPDATE

File Number: S26.4.20 / 22/19167

Author: Paul Henry, General Manager

SUMMARY:

This report is intended to provide an update to Councillors on the Pioneer Village.

COMMENTARY:

2022 will be the 50th year of operation of the Pioneer Village. The Village is located on a Crown Reserve and is managed by a Trust (local volunteers appointed by the NSW Government). The Trust is supported by other members of the Community who donate their time in a wide variety of ways.

Council supports the Trust with an annual 'operating grant' of \$20K and assistance with grant funding applications.

To mark this 50th year of operation, the Chairperson of the Trust, Mr Stewart Berryman has provided a brief update.

- *Because of the age of the buildings, maintenance is always an ongoing concern, however the volunteers endeavour to keep on top of it. The lack of visitors over the last couple of years has impacted on its financial viability and without the support of Council and the volunteers it would be very difficult to remain operational.*
- *Volunteers - there is a good team of skilled and not so skilled workers at the moment which makes it easier on the budget. Last year there was 2,653 hours of unpaid labour and from the six months from October 2021 through to April 2022, 1759 hours have been donated.*
- *Major undertakings for the last two years include: a fire reticulation system, installation of a concrete floor, pigeon proofing of the sulky shed, restumping on the Oakwood Hall and installing guttering and stormwater to that building.*
- *Solar panels have been installed on the entertainment area and once they are operational will be of a great financial benefit.*
- *The Rob Roy hall which houses the Devine photographic collection has had all the guttering replaced; the committee will be investigating the harvesting of that rainwater.*
- *The mining museum has been revamped and the model sapphire mine from the old tourist centre has been made operational, courtesy of Duncan Wilson, Stud Eshman, Dale Hall and Trevor Gray, and is now an asset to the Village.*
- *Local businessman Don Strahley donated 6 modern high lumen lights to the Village which have been strategically placed and installed by the resident licensed electricians, which gives the community the opportunity to hold evening functions should the occasions arise. Mr Strahley also donated all of the steel piers for the restumping of the Oakwood Hall as well as donating the use of his crane to reposition the windmill at the entrance to the village.*
- *With the assistance of Council, a grant application will be submitted to resurface the internal roads which if successful would see that infrastructure last another 30 years.*
- *Projects on the 'to do list' include pigeon proofing and concreting the floor of the machinery shed which houses the Robey steam engine among a host of other engines. Of course, there is lots of drainage problems to be solved and hopefully if the current pool of volunteers can be retained and with the continued assistance of Council they will be overcome.*

Mr Berryman stated that the Village Trust is hoping to work with the Sapphire City Festival organisers to hold their 50th anniversary and rededication during the festival as an added event during this year's Festival.

ATTACHMENTS:

Nil

5.2 POLITICAL PARTICIPANTS DISCLOSURE FACT SHEETS

File Number: S4.11.17/14 / 22/22732

Author: Paul Pay, Director Corporate and Economic Services

SUMMARY:

This report is intended to provide an update to Councillors on current disclosure obligations.

COMMENTARY:

The Regulatory, Education and Policy team at the Electoral Commission have recently updated the disclosure fact sheets for all political participants. The new fact sheets have now been loaded onto our website: <https://www.elections.nsw.gov.au>.

Copies of the fact sheets have also been attached to this report for the information of the Committee.

ATTACHMENTS:

1. Disclosing Electoral Expenditure 2022 [↓](#)
2. Disclosing Political Donations H2 JAN-JUN22 [↓](#)
3. Disclosures by Major Political Donors 2022 [↓](#)

Fact sheet

Disclosing electoral expenditure

The following information applies to political parties, elected members, candidates, groups, third-party campaigners, associated entities, party agents and official agents. Information in this fact sheet is based on the provisions of the *Electoral Funding Act 2018*. Refer to the legislation for the full requirements and/or be guided by independent legal advice.

What is an annual electoral expenditure disclosure?

Political parties and electoral participants in New South Wales must disclose all electoral expenditure annually. An annual electoral expenditure disclosure form must be lodged in relation to all State and local government elections.

When must an annual electoral expenditure disclosure be lodged?

All electoral expenditure incurred during the period 1 July 2021 to 30 June 2022 must be disclosed within 12 weeks after the end of the annual period, by **Thursday, 22 September 2022**.

Who must lodge an annual electoral expenditure disclosure?

All political parties and electoral participants are required to lodge an annual electoral expenditure disclosure form:

- All candidates, as well as the lead candidates of groups, must disclose all electoral expenditure incurred during the annual period, or lodge a 'nil' disclosure form if no electoral expenditure was incurred.
- All elected members, political parties and associated entities must disclose all electoral expenditure incurred during the annual period, or lodge a 'nil' disclosure form if no electoral expenditure was incurred.
- All third-party campaigners must disclose all electoral expenditure incurred during the capped expenditure period for an election, or lodge a 'nil' disclosure form if no electoral expenditure was incurred in the capped expenditure period.

What is electoral expenditure?

Electoral expenditure is expenditure for, or in connection with, promoting or opposing, directly or indirectly, a party or the election of a candidate or candidates or for the purpose of influencing, directly or indirectly, the voting at an election, and which is expenditure of the following kinds:

- expenditure on advertisements in radio, television, internet, cinemas, newspapers, billboards, posters, brochures, how-to-vote cards and other election material
- expenditure on the production and distribution of election material
- expenditure on the internet, telecommunications, stationery and postage
- expenditure on employing staff engaged in election campaigns
- expenditure on office accommodation for staff and candidates (other than the campaign headquarters of a party or the electorate office of an elected member)

- expenditure on travel and travel accommodation for candidates and staff involved in electoral campaigning
- expenditure on research associated with election campaigns (other than in-house research)
- expenditure on raising funds for an election or on auditing campaign accounts.

Electoral expenditure for a third-party campaigner is only expenditure that has the dominant purpose of promoting or opposing a party or candidate or influencing the vote at an election.

Detailed information about what constitutes electoral expenditure can be found on the NSW Electoral Commission's [website](#).

Who is responsible for making the disclosure?

Annual electoral expenditure disclosure forms must be completed, signed and submitted by the person responsible as set out in the table below, unless otherwise notified in writing by the NSW Electoral Commission:

Disclosure form type	Person responsible
Political Party	the party agent
Councillor or mayor	the councillor or mayor
Local government election candidate	the candidate (includes a candidate who is a member of a group)
Local government election group of candidates	the lead candidate of the local government group
Third-party campaigner or associated entity	the official agent of the third-party campaigner or associated entity
Member of Parliament (MP)	the party agent, if the MP is a member of a party that is registered for State elections the MP, in all other cases
State election candidate	the party agent, if the candidate is a member of a party that is registered for State elections the candidate, in all other cases
State election group of candidates	the party agent of the group's lead candidate, if group members are members of one or more parties registered for State elections the lead candidate, in all other cases

How to submit an electoral expenditure disclosure form

Disclosure forms can be submitted online using [Funding and Disclosure Online](#):

1. [Log in](#) to Funding and Disclosure Online using your username and password, or [Request access](#) (if you don't already have access)
2. Go to the 'Disclosures' tab. Select the 'Start or continue a disclosure' quicklink
3. Follow these [instructions](#) to create and submit the disclosure, or these [instructions](#) to submit a 'Nil' disclosure
4. Follow these [instructions](#) to ensure that you review, e-sign and submit the disclosure correctly.

When submitting a disclosure using Funding and Disclosure Online, supporting documents (e.g. copies of receipts issued to donors) can be uploaded before the disclosure is submitted electronically.

For those unable to use Funding and Disclosure Online, disclosure forms are available for download on the NSW Electoral Commission's [website](#) from 1 July 2022. A disclosure form or "nil" disclosure form (if no expenditure was incurred) must be validly lodged with the NSW Electoral Commission by **Thursday, 22 September 2022**.

A disclosure form is validly lodged if it is lodged by the due date and:

- the correct form has been used
- it contains all the pages (even if some or all pages contain no disclosures) and
- it is completed, signed and dated by the person who is responsible for making the disclosure.

The disclosure form must be lodged with the following supporting documents:

- copies of the invoices or receipts for each item of electoral expenditure and
- copies of any advertising material to which the expenditure relates (except for online advertising that is \$20 or less).

If electoral expenditure incurred by a registered party has been invoiced by the party to one or more of the party's endorsed candidates for a Legislative Assembly election, the following must be provided with each relevant candidate's disclosure form:

- copies of the invoices issued to the candidate by the party
- copies of the original supplier invoices or receipts issued to the party
- if the expenditure incurred by the party was for the benefit of two or more candidates, evidence of the proportion of the expenditure allocated by the party to the candidate.

Were you a member of a group of candidates in the 2021-2022 financial year?

Disclosure forms to submit if you were a member of a group

- The person responsible for the group, usually the lead candidate, must submit **two** disclosures: the group disclosure form **and** their own individual candidate disclosure form.
- Each group member **must** submit their own individual candidate disclosure form.

Candidate disclosure forms: must include any electoral expenditure incurred by the candidate that is separate to electoral expenditure incurred by the group.

Group disclosure forms: must include any electoral expenditure incurred by the group that is separate to any electoral expenditure incurred by a group member.

Were you an elected member in the 2021-2022 financial year?

Any person who was a Member of Parliament, or a councillor or mayor, between 1 July 2021 and 30 June 2022 must submit an elected member disclosure form.

Disclosure forms to submit if you were an elected member

- If you were elected at the 2021 local government elections, or the 2022 State or local government by-elections, you **must** submit:
 - an elected member disclosure form,
 - a candidate disclosure form, and
 - a group disclosure form (if you were the lead candidate of a group)

- If you were an elected member prior to the 2021 local government elections, or the 2022 State or local government by-elections, and you were a candidate but were not re-elected, you **must** submit:
 - an elected member disclosure form,
 - a candidate disclosure form, and
 - a group disclosure form (if you were the lead candidate of a group)
- If you were an elected member prior to the 2021 local government elections, or the 2022 State or local government by-elections, and you were not a candidate, you **must** submit:
 - an elected member disclosure form

Electoral expenditure disclosed by a person in their elected member disclosure form does not also need to be disclosed in the person's candidate disclosure form, and vice versa.

Were you a candidate for a councillor election and a mayoral election?

If you were a candidate for both a councillor and a mayoral election in the same local government area the person responsible for the candidate can submit a single candidate disclosure form.

Can a disclosure form be amended?

Yes, a disclosure form previously submitted to the NSW Electoral Commission can be amended by the person responsible for the original disclosure or their successor. "Amended disclosure" forms can be submitted using [Funding and Disclosure Online](#), or are available on request.

What happens after a disclosure is made?

Disclosure forms are kept by the NSW Electoral Commission for at least six years and are published on the NSW Electoral Commission's [website](#). Disclosure forms may be subject to a compliance audit by the NSW Electoral Commission. You are required to retain complete and accurate records in relation to a disclosure for at least three years.

What happens if a disclosure form is not lodged, is lodged late or is incorrect or incomplete?

Breaching the legislative requirements for disclosures may constitute a criminal offence. The NSW Electoral Commission may issue warnings, penalties or prosecute offences including:

- failure to validly lodge a disclosure form by the due date
- lodging an incomplete disclosure without a reasonable excuse
- providing or withholding information knowing it will result in a false or misleading declaration by the person responsible for the disclosure, or making a false statement in a declaration on a disclosure form.

A disclosure form is taken to be invalidly lodged if:

- the incorrect form is used or pages are missing from the form
- the form has not been signed by the person who is responsible for signing the form
- the declaration section of the form has not been properly completed including the date the declaration was signed.

More information

The *Electoral Funding Act 2018* is available in full at legislation.nsw.gov.au.

For further information, contact us on 1300 022 011 or at fdc@elections.nsw.gov.au.

Fact sheet

Disclosing political donations

(Half-yearly period 1 January to 30 June 2022)

The following information applies to political parties, elected members, candidates, groups, third-party campaigners, associated entities, party agents and official agents. Information in this fact sheet is based on the provisions of the *Electoral Funding Act 2018*. Refer to the legislation for the full requirements and/or be guided by independent legal advice.

What is a half-yearly political donations disclosure?

Political parties and other electoral participants in New South Wales must disclose political donations every six months. A half-yearly political donation disclosure form includes political donations made and received.

When must a half-yearly political donations disclosure be lodged?

The due date for submitting a disclosure of political donations made and received in the half-yearly period between 1 January 2022 to 30 June 2022 is **Thursday, 28 July 2022**.

Who must lodge a half-yearly political donations disclosure?

All political parties and electoral participants are required to lodge a half-yearly political donations disclosure form:

- All candidates, as well as the lead candidates of groups, must disclose all political donations made and received in the half-yearly period, or lodge a “nil” disclosure form if no political donations were made or received.
- All elected members, political parties and associated entities must disclose all political donations made and received in the half-yearly period, or lodge a “nil” disclosure form if no political donations were made or received.
- Third-party campaigners must disclose all reportable political donations received during the half-yearly period that were or are intended to be used to incur electoral expenditure in the capped expenditure period for an election, or lodge a “nil” disclosure form if no reportable political donations were received.

What are political donations?

Political donations are defined on the NSW Electoral Commission's [website](#).

Political donations include:

- monetary and non-monetary gifts
- free or discounted goods or services
- an amount paid by a person to attend or participate in a fundraising venture or function
- an annual or other subscription paid to a party by a party member or affiliate

- a disposition of property from the federal branch (or a State or Territory branch) of a party to the NSW branch of the party or a disposition of property from one NSW party to another NSW party
- uncharged or insufficient interest charged on a loan
- a contribution made by a candidate to the group of which they are a member.

What must be disclosed?

Political donations must be disclosed as follows:

- small political donations made and received (does not apply to third-party campaigners)
- reportable political donations made* and received
- details of fundraising ventures and functions including the net or gross proceeds
- reportable loans received
- the total amount of annual or other subscriptions paid to a party, each subscription rate and the number of party members that paid at each rate (applies to parties only)
- political donations made to a Legislative Assembly election candidate before the candidate was selected or endorsed by a party (applies to parties only)
- payments other than political donations paid into the campaign account (applies to campaign accounts of candidates, groups and elected members only).

* If a third-party campaigner has made reportable political donations in the half-yearly period the political donations can be disclosed in a half-yearly disclosure form, otherwise they must be disclosed in an annual major political donor disclosure form following 30 June 2022.

Who is responsible for making the disclosure?

Half-yearly political donation disclosure forms must be completed, signed and submitted by the person responsible for the disclosure as set out in the table below, unless otherwise notified in writing by the NSW Electoral Commission:

Disclosure form type	Person responsible
Political Party	the party agent
Councillor or mayor	the councillor or mayor
Local government election candidate	the candidate (includes a candidate who is a member of a group)
Local government election group of candidates	the lead candidate of the local government group
Third-party campaigner or associated entity	the official agent of the third-party campaigner or associated entity
Member of Parliament (MP)	the party agent, if the MP is a member of a party that is registered for State elections or the MP, in all other cases

Disclosure form type	Person responsible
State election candidate	the party agent, if the candidate is a member of a party that is registered for State elections or the candidate, in all other cases
State election group of candidates	the party agent of the group's lead candidate, if group members are members of one or more parties registered for State elections or the lead candidate, in all other cases

How to submit a political donation disclosure form

Disclosure forms can be submitted online using [Funding and Disclosure Online](#):

1. [Log in](#) to Funding and Disclosure Online using your username and password, or [Request access](#) (if you don't already have access)
2. Go to the 'Disclosures' tab. Select the 'Start or continue a disclosure' quicklink
3. Follow these [instructions](#) to create and submit the disclosure, or these [instructions](#) to submit a 'Nil' disclosure
4. Follow these [instructions](#) to ensure that you review, e-sign and submit the disclosure correctly.

When submitting a disclosure using Funding and Disclosure Online, supporting documents (e.g. copies of receipts issued to donors) can be uploaded before the disclosure is submitted electronically.

For those unable to use Funding and Disclosure Online, disclosure forms are available for download on the NSW Electoral Commission's [website](#) from 1 July 2022. A disclosure form or "nil" disclosure form (if no donations were made or received) must be validly lodged with the NSW Electoral Commission by **Thursday, 28 July 2022**.

A disclosure form is validly lodged if it is lodged by the due date and:

- the correct form has been used (there are separate forms for political parties and each type of electoral participant),
- it contains all pages (even if some or all pages contain no disclosures), and
- it is completed, signed and dated by the person who is responsible for making the disclosure. Note that digital signatures are no longer accepted on disclosure forms downloaded from the website. If you would like to sign with a digital signature, please use Funding and Disclosure Online to submit your disclosure.
- The disclosure form must be lodged with copies of the receipts issued to donors who made a reportable political donation.

Were you a member of a group of candidates in the 2021-2022 financial year?

Disclosure forms to submit if you were a member of a group

- The person responsible for the group, usually the lead candidate, must submit **two** disclosures: the group disclosure form **and** their own individual candidate disclosure form.
- Each group member **must** submit their own individual candidate disclosure form.

Candidate disclosure forms: must include any political donations made to or for the benefit of the candidate and any political donations made by the candidate including political donations made by a candidate to the group of which they are a member, membership fees, levies, or other payments made to the political party of which the candidate is a member.

Group disclosure forms: must include any political donations made to or for the benefit of the group and any political donations made by the group. Political donations received by the group include donations made by the group's members to the group.

If a group member donates to their group, the candidate who donated to their group must disclose making the donation to the group. The lead candidate of the group must disclose, in the group's disclosure form, receiving the donation from the candidate.

Were you an elected member in the 2021-2022 financial year?

Any person who was a Member of Parliament, or a councillor or mayor, between 1 July 2021 and 30 June 2022 must submit an elected member disclosure form.

Disclosure forms to submit if you were an elected member

- If you were elected at the 2021 local government elections, or the 2022 State or local government by-elections, you **must** submit:
 - an elected member disclosure form,
 - a candidate disclosure form, and
 - a group disclosure form (if you were the lead candidate of a group)
- If you were an elected member prior to the 2021 local government elections, or the 2022 State or local government by-elections, and you were a candidate but were not re-elected, you **must** submit:
 - an elected member disclosure form,
 - a candidate disclosure form, and
 - a group disclosure form (if you were the lead candidate of a group)
- If you were an elected member prior to the 2021 local government elections, or the 2022 State or local government by-elections, and you were not a candidate, you **must** submit:
 - an elected member disclosure form

An elected member disclosure form is to include political donations made to or for the benefit of the person as an elected member and political donations made by the elected member during the half-yearly period. Political donations made by an elected member include membership fees, levies and other payments made by the elected member to the political party of which they are a member.

Political donations disclosed by a person in their elected member disclosure form do not also need to be disclosed in the person's candidate disclosure form, and vice versa.

Were you a candidate for a councillor election and a mayoral election?

If you were a candidate for both a councillor election and a mayoral election in the same local government area the person responsible for the candidate can submit a single candidate disclosure form.

Can a disclosure form be amended?

Yes, a disclosure form previously submitted to the NSW Electoral Commission can be amended by the person responsible for the original disclosure or their successor. "Amended disclosure" forms can be submitted using [Funding and Disclosure Online](#), or are available on request.

What happens after a disclosure is made?

Disclosure forms are kept by the NSW Electoral Commission for at least six years and are published on the NSW Electoral Commission's [website](#).

Disclosure forms may be subject to a compliance audit by the NSW Electoral Commission. You are required to retain complete and accurate records in relation to a disclosure for at least three years.

What happens if a disclosure form is not lodged, is lodged late or is incorrect or incomplete?

Breaching the legislative requirements for disclosures may constitute a criminal offence. The NSW Electoral Commission may issue warnings, penalties or prosecute offences including:

- failure to validly lodge a disclosure form by the due date
- lodging an incomplete disclosure without a reasonable excuse
- providing or withholding information knowing it will result in a false or misleading declaration by the person responsible for the disclosure
- making a false statement in a declaration on a disclosure form.

A disclosure form is taken to be invalidly lodged if:

- the incorrect form is used or pages are missing from the form
- the form has not been signed by the person who is responsible for signing the form
- the declaration section of the form has not been properly completed including the date the declaration was signed.

More information

The *Electoral Funding Act 2018* is available in full at legislation.nsw.gov.au.

For further information, contact us on 1300 022 011 or at fdc@elections.nsw.gov.au.

Fact sheet

Disclosures by major political donors

The following information applies to an individual or entity that has made one or more reportable political donations in a financial year. Information in this fact sheet is based on the provisions of the *Electoral Funding Act 2018*. Refer to the legislation for the full requirements and/or be guided by independent legal advice.

Who is a major political donor?

A major political donor is an individual who, or an entity that, makes a reportable political donation to:

- a New South Wales political party
- an elected member, candidate, group of candidates or third-party campaigner for a State or local government election in NSW
- an associated entity of a political party that is registered for NSW State elections, an elected member of the NSW Parliament or an elected member of a local council in NSW.

A reportable political donation is a political donation of \$1,000 or more and includes multiple political donations of less than \$1,000 made to the same recipient in the financial year that, in aggregate, total \$1,000 or more.

What are political donations?

Political donations are defined on the NSW Electoral Commission's [website](#). Political donations include:

- monetary and non-monetary gifts
- free or discounted goods or services
- an amount paid by a person to attend, or participate in, a fundraising venture or function
- an annual or other subscription paid to a party by a party member or affiliate
- uncharged or insufficient interest charged on a loan to a party, elected member, candidate or group of candidates.

What is an annual major political donor disclosure?

A major political donor must disclose reportable political donations made annually. Reportable political donations made during the period 1 July 2021 to 30 June 2022 are due by **Thursday, 28 July 2022**. If no reportable political donations were made during the period, a disclosure form is not required to be lodged.

What does not need to be disclosed?

Political donations made solely for the purpose of a federal election or an elected member of the Parliament of Australia, or for the purpose of an election in a State or Territory other than NSW or an elected member in a State or Territory other than NSW do not need to be disclosed.

Donations made by corporations, from a trust or foundation or by an unincorporated association

Corporations that are related to each other (as determined by the *Corporations Act 2001*) are taken to be a single corporation. As such, related corporations should make disclosures on a single disclosure form.

If a reportable political donation was made from a trust or a foundation, the names and addresses of the trustee/s of the trust or foundation must be included on the disclosure form.

If a reportable political donation was made by an unincorporated association, the names and addresses of the members of the executive committee of the association must be included on the disclosure form.

How to submit a disclosure form

Disclosure forms can be submitted online using [Funding and Disclosure Online](#):

1. [Log in](#) to Funding and Disclosure Online using your username and password, or [Request access](#) (if you don't already have access)
2. Go to the 'Disclosures' tab. Select the 'Start or continue a disclosure' quicklink
3. Follow these [instructions](#) to create and submit the disclosure
4. Follow these [instructions](#) to ensure that you review, e-sign and submit the disclosure correctly.

When submitting a disclosure using Funding and Disclosure Online, supporting documents (e.g. copies of receipts issued to donors) can be uploaded before the disclosure is submitted electronically.

For those unable to use Funding and Disclosure Online, disclosure forms are available for download on the NSW Electoral Commission's [website](#) from 1 July 2022. A disclosure form must be validly lodged with the NSW Electoral Commission by **Thursday, 28 July 2022**.

A disclosure form is validly lodged if it is lodged by the due date and:

- the correct form has been used (there is a specific form for major political donors)
- it contains all the pages (even if some pages contain no disclosures) and
- it is completed, signed and dated by the authorised signatory for the major political donor:

Type of donor	Authorised signatory
An individual person or sole trader	The individual
A corporation	A proper officer as defined by the <i>Corporations Act 2001</i>
An incorporated association	The public officer of the association
An unincorporated body	An office holder or a member of the committee or board
A partnership	One of the partners
A trust or foundation	The trustee

Can a disclosure form be amended?

Yes, a disclosure form previously submitted to the NSW Electoral Commission can be amended. "Amended disclosure" forms can be submitted using [Funding and Disclosure Online](#), or are available on request.

What happens after a disclosure is made?

Disclosure forms are kept by the NSW Electoral Commission for at least six years and are published on the NSW Electoral Commission's [website](#).

What happens if a disclosure is not lodged, is lodged late or is incorrect or incomplete?

Breaching the legislative requirements for disclosures may constitute a criminal offence. The NSW Electoral Commission may issue warnings, penalties or prosecute offences including:

- failure to validly lodge a disclosure form by the due date
- lodging an incomplete disclosure without a reasonable excuse
- making a false statement in a declaration on a disclosure form.

A disclosure form is taken to be invalidly lodged if:

- the incorrect form is used or pages are missing from the form
- the form has not been signed by the person who is responsible for signing the form
- the declaration section of the form has not been properly completed including the date the declaration was signed.

More information

The *Electoral Funding Act 2018* is available in full at www.legislation.nsw.gov.au. For further information, contact us on 1300 022 011 or at fdc@elections.nsw.gov.au.

6 GOVERNANCE REPORTS

6.1 GOVERNANCE - MONTHLY INVESTMENT REPORT

File Number: S12.12.2 / 22/22750

Author: Robert Kimmince, Manager Financial Services

SUMMARY:

To report the balance of investments held as at 30 June, 2022.

RECOMMENDATION:

The Committee recommend to Council that:

- i) the report indicating Council's Fund Management position be received and noted; and*
- ii) the Certification of the Responsible Accounting Officer be noted.*

COMMENTARY:

Contained within this report are the following items that highlight Council's Investment Portfolio performance for the month to 30 June, 2022 and an update of the investment environment:

- (a) Council's Investments as at 30 June, 2022;
- (b) Council Investments by Fund as at 30 June, 2022;
- (c) Interest – Budgeted vs. Actual;
- (d) Investment Portfolio Performance;
- (e) Investment Commentary; and
- (f) Certification – Responsible Accounting Officer.

Term Deposit Investment Group									
Investment	Borrower	FUND	Rating	Purchase Date	Maturity Date	Current Yield	Principal Value	Current value	Term (days)
22/01	Bank of Sydney	General	NR	19-Jul-21	19-Jul-22	0.65%	1,500,000	1,500,000	365
22/24	National Australia Bank	General	AA-	19-Apr-22	19-Jul-22	0.77%	2,000,000	2,000,000	91
22/02	Bank of Sydney	General	NR	03-Aug-21	03-Aug-22	0.64%	1,000,000	1,000,000	365
20/05	Bank of Queensland	General	BBB+	03-Sep-19	05-Sep-22	1.80%	1,000,000	1,000,000	1098
20/06	Bank of Queensland	General	BBB+	13-Sep-19	13-Sep-22	1.80%	1,000,000	1,000,000	1096
22/04	Bank of Sydney	Water	NR	17-Sep-21	19-Sep-22	0.63%	1,000,000	1,000,000	367
22/06	Bank of Sydney	Sewer	NR	30-Sep-21	30-Sep-22	0.60%	1,500,000	1,500,000	365
22/07	MyState Bank	General	BBB	01-Oct-21	04-Oct-22	0.50%	2,000,000	2,000,000	368
22/08	AMP BANK	General	BBB+	05-Oct-21	05-Oct-22	0.80%	2,000,000	2,000,000	365
22/25	Westpac Bank	General	AA-	19-Apr-22	19-Oct-22	1.31%	2,000,000	2,000,000	183
22/13	AMP BANK	Water	BBB+	25-Nov-21	25-Nov-22	1.00%	1,000,000	1,000,000	365
22/18	AMP BANK	General	BBB+	07-Dec-21	07-Dec-22	1.00%	2,000,000	2,000,000	365
21/10	Warwick Credit Union	General	NR	22-Jan-21	23-Jan-23	1.00%	1,500,000	1,500,000	731
22/29	Bank of Queensland	Sewer	BBB+	27-May-22	27-Feb-23	2.80%	2,000,000	2,000,000	276
22/05	AMP BANK	General	BBB+	20-Sep-21	20-Mar-23	0.80%	1,000,000	1,000,000	546
22/12	AMP BANK	General	BBB+	25-Nov-21	25-May-23	1.00%	1,000,000	1,000,000	546
22/14	AMP BANK	General	BBB+	25-Nov-21	25-Mar-23	1.00%	1,000,000	1,000,000	485
20/32	Auswide Bank	General	BBB	24-Mar-20	24-Mar-23	1.88%	1,000,000	1,000,000	1095
22/22	Westpac Bank	General	AA-	29-Mar-22	29-Mar-23	1.56%	1,950,000	1,950,000	365
22/26	Bank of Sydney	General	NR	16-May-22	16-May-23	3.10%	2,000,000	2,000,000	365
22/28	AMP BANK	General	BBB+	27-May-22	27-Nov-23	3.30%	2,000,000	2,000,000	549
22/23	ING Bank	General	A	19-Apr-22	19-Apr-23	2.21%	2,000,000	2,000,000	365
22/30	Commonwealth Bank	Sewer	A	07-Jun-22	07-Jun-23	3.42%	1,000,000	1,000,000	365
21/16	National Australia Bank	Water	AA-	28-Jun-21	28-Jun-23	0.60%	1,000,000	1,000,000	730
21/17	ICBC - Industrial and Commercial Bank of China	General	A	29-Jun-21	29-Jun-23	0.70%	1,000,000	1,000,000	730
21/18	National Australia Bank	Water	A	29-Jun-21	29-Jun-23	0.65%	2,000,000	2,000,000	730
22/09	National Australia Bank	General	AA-	06-Oct-21	06-Oct-23	0.64%	1,000,000	1,000,000	730
22/10	Westpac Bank	General	AA-	25-Oct-21	25-Oct-23	0.91%	2,000,000	2,000,000	730
22/11	Westpac Bank	General	AA-	25-Nov-21	25-Nov-23	1.28%	1,000,000	1,000,000	730
22/27	Australian Unity Bank	General	BBB	26-May-22	27-Nov-23	3.50%	1,000,000	1,000,000	550
22/15	ICBC - Industrial and Commercial Bank of China	General	A	02-Dec-21	04-Dec-23	1.36%	2,000,000	2,000,000	732
22/16	ICBC - Industrial and Commercial Bank of China	General	A	02-Dec-21	04-Dec-23	1.36%	2,000,000	2,000,000	732
22/17	ICBC - Industrial and Commercial Bank of China	Water	A	02-Dec-21	04-Dec-23	1.36%	1,000,000	1,000,000	732
22/03	National Australia Bank	General	AA-	27-Aug-21	27-Aug-24	0.85%	2,000,000	2,000,000	1096
22/20	MyState Bank	General	BBB	02-Mar-22	04-Mar-24	1.70%	2,000,000	2,000,000	733
22/21	Bank of Queensland	General	BBB+	02-Mar-22	04-Mar-24	1.70%	1,000,000	1,000,000	733
21/11	ICBC - Industrial and Commercial Bank of China	Water	A	26-Mar-21	26-Mar-24	0.82%	2,000,000	2,000,000	1096
21/13	ICBC - Industrial and Commercial Bank of China	Water	A	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
21/14	ICBC - Industrial and Commercial Bank of China	Sewer	A	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
21/15	IC								

Floating Rate Notes										
As at Date	Borrower	FUND	Rating	Purchase Date	Coupon End Date	Current Yield*	Principal Value	Current value	Coupon Term	Maturity Date
							-	-		
* Yield changes every 3 months and is a margin over the 3 month BBSW (Bank Bill Swap Rate)										
180 Day Deposit Accounts										
As at Date	Borrower	FUND	Rating	Purchase Date	Maturity Date	Current Yield	Principal Value	Current value	Term	
30/6/2022	AMP Bank	General	BBB+	28/6/2021	21/11/2022	0.70%	2,500,000	2,509,363		
Sub Total - Cash Deposits Accounts Investment Group							2,500,000	2,509,363		
Cash Deposit Accounts										
As at Date	Borrower	FUND	Rating	Purchase Date	Maturity Date	Current Yield	Value at beg year	Current value	Term	
30/6/2022	Commonwealth Bank	General	A	9/11/2020		0.00%		1,255		
30/6/2022	Macquarie Bank	General	AA-	9/11/2020		1.00%	4,011,560	2,028,503.74		
30/6/2022	Macquarie Bank	Water	AA-	9/11/2020		1.00%	2,504,313	2,516,480.98		
30/6/2022	Macquarie Bank	Sewer	AA-	9/11/2020		1.00%	1,501,380	1,508,673.97		
Sub Total - Cash Deposit Accounts						-	-	6,054,914	-	-

Portfolio by Fund	31/05/2022	30/06/2022
General Fund	\$52,487,811	\$48,489,122
Water Fund	\$12,514,855	\$11,516,481
Sewer Fund	\$7,007,700	\$7,008,674
TOTAL	\$72,010,365	\$67,014,277

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is anticipated that the RBA would increase the cash rate at the July meeting which would potentially increase term deposit rates.

Interest – Budgeted versus Actual Result to Date

	Ledger	2021/2022 Budget \$	Actuals to Date \$	Accrued Interest to Date \$	TOTAL \$
General Fund	128820	394,000.00	321,505.14	216,970.01	538,475.15
Water Fund	812350	64,000.00	60,499.43	24,609.59	85,109.02
Sewer Fund	906320	41,000.00	70,266.57	15,717.26	85,983.83
TOTAL		499,000.00	452,271.14	257,296.86	709,568.00

Term deposit interest rates have improved recently with a 12-month term deposit now yielding 3-4%. Given our strong investment balances, Council has exceeded interest revenue targets in 2021/2022. This additional interest received during 2021/2022 will be allocated to Council's Investment Equalisation Reserves to help fund future budget reductions in interest revenue.

C) Investment Portfolio Performance

Investment Portfolio Return		Benchmarks		
	% pa	RBA Cash Rate	Aus Bond Bank Bill	11am Cash Rate
Benchmark as at 30/6/2022		0.85%	1.810%	0.85%
Term Deposits	1.38%			
Cash Deposit Accounts	1.00%			
180 Day Call Account	0.70%			
Floating Rate Notes	0.00%			

D) Investment Commentary

Council's investment portfolio exceeded all benchmarking indexes except for Cash accounts. Money is held in cash deposits accounts for liquidity purposes.

Council's investment portfolio of \$67M is almost entirely invested in fixed term deposits. Overall, the portfolio is highly liquid, highly rated and short-dated from a counterparty perspective.

The RBA lifted rates by 50 basis points (bp) in June, they have clearly pivoted along with several other global central banks undertaking the same strategy, commenting "given the current inflation pressures in the economy, and the still very low level of interest rates, the Board decided to move by 50bp [in June]. The Board expects to take further steps in the process of normalising monetary conditions in Australia over the months ahead".

The combination reinforced the view that the previous level of extraordinary monetary support was no longer necessary, while a further deterioration in the inflation outlook compared to even the previous month (on higher energy and electricity prices), meant a quicker move was required.

The RBA will continue to adjust rates in the months ahead. Inflation pressures remain strong and core inflation remains significantly higher than expected. With economic activity and the labour market remaining relatively strong for now, it is possible that the RBA will raise rates towards 1.60%-1.85% within the next two months (a further 75-100bp of tightening), with further 25bp moves expected later in the year to deliver a cash rate to at least around 2½-3% by the end of 2022.

The domestic bond market continues to suggest a prolonged low period of interest rates on a historical basis (10-year government bond yields still under 4%). Over the month, yields rose around 30bp at the long-end of the curve.

The RBA meets again on 5 July, 2022 and most economists believe the RBA will increase the cash rate by 40-50bp.

Term deposit rates will continue to increase over the near future as the cash rate increases. This will generate additional interest revenue for Council.

Certification – Responsible Accounting Officer

I Paul Pay, hereby certify that the investments listed in this report have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the Local Government (General) Regulations 2005 and Council's Investment Policy.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Council's term deposit portfolio was yielding 1.33% p.a. at month-end, with a weighted average duration of around 327 days or 10.9 months. Council is well positioned to take advantage of increasing term deposit rates as investment mature.

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

7 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)**RECOMMENDATION:**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with the reasons stated in the referral reports:

7.1 Request for a Reduction in a Water Usage Account

7.2 Rifle Range Road Subdivision - Expressions to Purchase