

### MEMORANDUM

To:

Councillor Aaron Duke

From:

Governance Coordinator, Adam Beggs

Date:

2 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

#### DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

#### General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

#### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

#### **DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS**

(Clause 4.21 of the Model Code of Conduct)

Ву:	Councillor Aaron Duke (Full Name of Councillor or Designated Person)		
n respect of the period from:	1 July 2020 to 30 June (Return Period)	2021	
		27 September 21	
(Councillor's or Designated Pe	erson's Signature/Typed Name)	(Date the form was completed)	



#### A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

#### B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

from an occupation at any tin Description of Occupation	Name & address employer/description of office held		Name under which partnership conducted (if applicable)
	ending on the fol		period commencing on the first ces of income I received from a
Name and address of settlor		Name and addres	s of trustee
NIL			
3. * Sources of other income	ng on the followi : (Include descripti	ng 30 June OR *Sources on sufficient to identify the p	
3. * Sources of other income after the return date and endi time during the return period:	ng on the followi : (Include descripti	ng 30 June OR *Sources on sufficient to identify the p	of other income I received at any
3. * Sources of other income after the return date and enditime during the return period circumstances in which, that inc	ng on the followi : (Include descripti	ng 30 June OR *Sources on sufficient to identify the p	of other income I received at any
3. * Sources of other income after the return date and enditime during the return period circumstances in which, that inc	ng on the followi : (Include descripti	ng 30 June OR *Sources on sufficient to identify the p	of other income I received at any

#### C. Gifts – Schedule 1, Part 2, Clauses 9 – 11 of the Model Code of Conduct

- A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



#### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIL	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4,12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



#### D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NIL		

#### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



#### E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
NIL			

- Interests as a property developer or a close associate of a property developer Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

## F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No	

- G. Positions in trade unions and professional or business associations Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position

#### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.

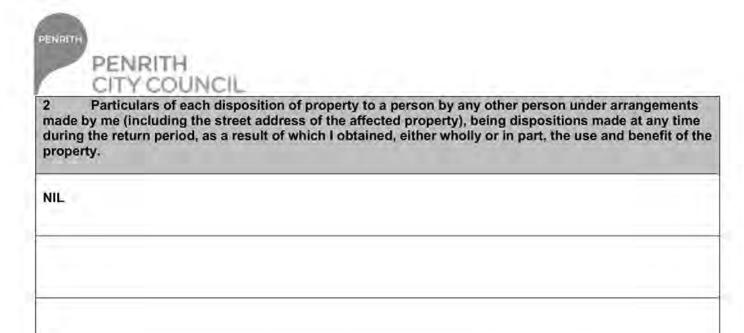


H. Debts

IIL	return period		

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - > A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

property) at	n period as a result of	ne (including the street address of the affected f which I retained, either wholly or in part, the e property at a later time.
NIL		



- J. Discretionary disclosures Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct
  - A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

J. Discretiona	ary disclosures		
	4.00.00		



# MEMORANDUM

To:

Councillor Bernard Bratusa

From:

Governance Coordinator, Adam Beggs

Date:

8/2/2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator



Part 4 of the Model Code of Conduct for Local Councils in NSW

## DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

### General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local 1. Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return period since the last return, that is, the period from the return date of the last return to 30 June 2. in this year or the period from the end of the last return period to 30 June in this year (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction. 3.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached. 4.

If there are no pecuniary interest or other matters of the kind required to be disclosed under a Note: particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal,

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act and the Regulation 2009 and any guidelines issued by the Information Commissioner. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

# DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

By: Councillor Bernard Bratusa

(Full Name of Councillor or Designated Person)

In respect of the period

1 July 2020 to 30 June 2021 from:

(Return Period)

(Date the form was completed) re/Typed Name)



# Real property – Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

A person making an annual return under Clause 4.21 of the Code must disclose:

a) the street address of each parcel of real property in which they had an interest at any time during the return period, and

b) the nature of the interest.

- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property Nature of Interest Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

### Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct B.

A person making an annual return under clause 4.21 of the Code must disclose:

- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
- b) each source of income received by the person in the period since 30 June of the previous
- > A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - in relation to income from an occupation of the person: a)
    - a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, b)
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received. c)

# PENRITH

### PENRITH CITY COUNCIL

- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- > A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

*Sources of income freasone first day after the return dom an occupation at any time	are during the return per	od Sources.	in the period commencing on R*Sources of income I received  Name under which partnership
escription of Occupation	Name & address emp	oloyer/description	conducted (if applicable)
	0, 0,,,,,		
of income I reason	onably expect to receive	from a trust in the	ces of income I received from a
ay after the return date and rust during the return period	Cilding on		
Name and address of settlor		Name and address	is of trustee
	11-	receive in the perio	od commencing on the first day
3. * Sources of other income after the return date and end time during the return periodircumstances in which, that is	d: (Include description su	fficient to identify the	
after the return date and entitime during the return periodircumstances in which, that in	d: (Include description su	fficient to identify the	of commencing on the first day of other income I received at an person from whom, or the Ly Council A Street Renritt Name 275

- Gifts Schedule 1, Part 2, Clauses 9 11 of the Model Code of Conduct
  - A person making an annual return under clause 4.12 of the Code must disclose:
    - a) a description of each gift received since the last return, and
    - b) the name and address of the donor of each of the gifts.
  - A gift need not be included in a return if:
- a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or
  - For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



C. Gifts escription of each gift I received at any time during the turn period	Name and address of donor

### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of D. Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the
- A financial or other contribution to any travel need not be disclosed under this clause if it: travel was undertaken.
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or
  - For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



D. Contribution to travel lame and added of each person who made any inancial or other contribution to any travel indertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

### Interests and positions in corporations - Schedule 1, Part 2, Clauses 15 - 18 of the E. Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects of each of the corporations, except in the case of
- An interest in, or a position held in a corporation need not be disclosed if the corporation
  - a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- > An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



### E. Interests and positions in corporations

E. Interests and positions in Name and address of each corporation in which I had an interest or held a position *at the return date!* at any time during the	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
eturn period			
			- to developer -

- Interests as a property developer or a close associate of a property developer -Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct F.
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

return date? (Y/N)	No
Yes - (please give details)	No
	(NO)
	Schedule 1, Part

- Positions in trade unions and professional or business associations Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct G.
  - A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date,
  - b) the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations Description of the position Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) \*at the time of the return date/\* at any time during the return period

## Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- > A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - i. the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



H. Debts	as liable to pay any debt at the return date/ at any time
ne and address of each person to whom to ing the return period	
	dule 4 Part 2 Clauses 23 - 25 of the Model Code of

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making year, the tier and disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

I. Disposition of real property  Particulars of each disposition of real	property by me (including the street address of the affer as a result of which I retained, either wholly or in part, to be re-acquire the property at a later time.
particulars of each dispersion of the return period and benefit of the property or the right to	re-acquire the property at a later time.
and benefit of the property or the right to	
	0



ne (including the street address of the affected proper return period, as a result of which I obtained, either ty.	
	· · · · · ·
	and all Code of
scretionary disclosures – Schedule 1, Part 2, Cl	lauses 34 of the woder code of
onduct	the set benefit advantage or
> A person may voluntarily disclose in a return a	any interest, berieff, advantage of
A person may voluntarily disclose in a return a liability, whether pecuniary or not, that is not re	required to be disclosed under unowner
provision of this Schedule.	
Discretionary disclosures	



### MEMORANDUM

To:

Councillor Brian Cartwright

From:

Governance Coordinator, Adam Beggs

Date:

2 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

#### DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

#### General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed.
   Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

#### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

#### **DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS**

(Clause 4.21 of the Model Code of Conduct)

Ву:	(Full Name of Councillor or Design	
In respect of the period from:	1 July 2020 to 30 June	2021
	(Return Period)	
		5 August 2021
/Councillor's or Designated Pe	erson's Signature/Typed Name)	(Date the form was completed)



#### A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

#### B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

Description of Occupation	Name & address employer/descrip of office held	tion Name under which partnership conducted (if applicable)
Councillor	Penrith City Council 601 High Street, Penrith	
	nably expect to receive from a trust in ending on the following 30 June OR *:	
Name and address of settlor	Name and ad	dress of trustee
NIL  3. * Sources of other income after the return date and endi	I reasonably expect to receive in the p	
	: (Include description sufficient to identify	
time during the return period	: (Include description sufficient to identify	
time during the return period circumstances in which, that inc	: (Include description sufficient to identify	
time during the return period circumstances in which, that inc	: (Include description sufficient to identify	

#### C. Gifts - Schedule 1, Part 2, Clauses 9 - 11 of the Model Code of Conduct

- A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



#### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIL	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4,12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



#### D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NIL		

#### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



#### E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
NIL			

- Interests as a property developer or a close associate of a property developer –
   Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

### F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No
	NO

- G. Positions in trade unions and professional or business associations Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position
Penrith Whitewater Stadium	Board Member
Penrith RSL sub-Branch	President and Trustee
Nepean Community College	Board Member and Board Secretary

#### H. Debt – Schedule 1, Part 2, Clauses 31 – 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



H. Debts

NIL	

- Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

property)	Particulars of each disposition of real property by me (including the street address of the affected property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.	
NIL		



r -	CITY COUNCIL
duri	Particulars of each disposition of property to a person by any other person under arrangements e by me (including the street address of the affected property), being dispositions made at any time ng the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the perty.
NIL	
ı.	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of  Conduct  A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another
	provision of this Schedule.  J. Discretionary disclosures
NIL	



### MEMORANDUM

To:

Councillor Greg Davies

From:

Governance Coordinator, Adam Beggs

Date:

2 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

#### DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

#### General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

#### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

#### DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

Ву:	(Full Name of Councillor or Designated Person)	
n respect of the period from:	1 July 2020 to 30 June	2021
***************************************	(Return Period)	
		4 August 2021
(Councillor's or Designated Pe	erson's Signature/Typed Name)	(Date the form was completed)



#### A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

#### B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - in relation to income from an occupation of the person.
    - i. a description of the occupation, and
    - ii. If the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
- in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

Description of Occupation	Name & address employer/de of office held	scription Name under which partnership conducted (if applicable)
Nil		
	ending on the following 30 June	ust in the period commencing on the first OR *Sources of income I received from a
Name and address of settlor	Name a	nd address of trustee
Nil		
after the return date and endi	ng on the following 30 June OR	the period commencing on the first day Sources of other income I received at any entity the person from whom, or the
after the return date and endi	ng on the following 30 June OR (Include description sufficient to id	
after the return date and endi time during the return period	ng on the following 30 June OR (Include description sufficient to id	Sources of other income I received at any
after the return date and endi time during the return period circumstances in which, that inc	ng on the following 30 June OR (Include description sufficient to id	Sources of other income I received at any

#### C. Gifts - Schedule 1, Part 2, Clauses 9 - 11 of the Model Code of Conduct

- A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



#### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
Nil	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



#### D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NII		

#### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



### E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
Nil			

- Interests as a property developer or a close associate of a property developer –
   Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No	
	No	

- G. Positions in trade unions and professional or business associations Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position
Nil	

### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



H. Debts

	return period	erson to whom it	was liable to pay any	y debt at the return date/ a	t any time
Nil					

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

I. Disposition of real property

property) at any time during the return per	Particulars of each disposition of real property by me (including the street address of the affecte property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.		
Nii			
	1		



CITYC	OUNCIL
made by me (include	of each disposition of property to a person by any other person under arrangements ding the street address of the affected property), being dispositions made at any time eriod, as a result of which I obtained, either wholly or in part, the use and benefit of the
Nil	
Conduct  A persoliabilit  provis	ry disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of son may voluntarily disclose in a return any interest, benefit, advantage or y, whether pecuniary or not, that is not required to be disclosed under another sion of this Schedule.
NII	



# **MEMORANDUM**

To:

Councillor Jim Aitken OAM

From:

Governance Coordinator, Adam Beggs

Date:

4 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

## DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

## General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed.
   Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

## Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

## DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

By: Councillor Jim Aitken OAM

(Full Name of Councillor or Designated Person)

In respect of the period

from: 1 July 2020 to 30 June 2021

(Return Period)

(Councillor's or (Date the form was completed)



## A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

A person making an annual return under Clause 4.21 of the Code must disclose:

a) the street address of each parcel of real property in which they had an interest at any time during the return period, and

b) the nature of the interest.

An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:

 a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or

b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.

- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period	Nature of Interest
See Attached	

## B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

A person making an annual return under clause 4.21 of the Code must disclose:

each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and

 each source of income received by the person in the period since 30 June of the previous financial year.

- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:

i. a description of the occupation, and

ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and

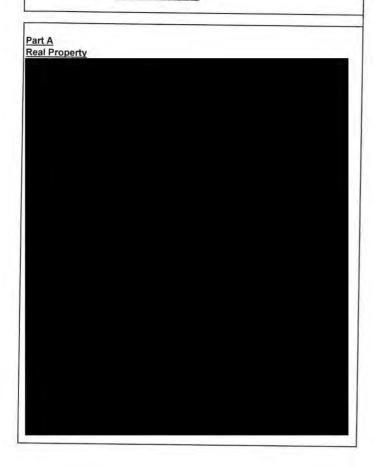
iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or

- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
- in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.

James Ashley Aitken Disclosure of Interests As at 30th June 2021

Filename: Pecuniary Interest JAA 210630

Address of Property





➤ The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

> The source of income received by the person that they ceased to receive prior to becoming a

Councillor or designated person need not be disclosed.

A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

from an occupation at any tin Description of Occupation	Name & address employer/description of office held		Name under which partnership conducted (if applicable)
Councillor	Penrith City Council 601 High Street Penrith NSW 2750		
2. *Sources of income I reaso day after the return date and trust during the return period	ending on the following 30 J	a trust in the une OR *Source	period commencing on the first es of income I received from a
Name and address of settlor	Nai	ne and address	s of trustee
See Attached			
3. * Sources of other income I after the return date and endi time during the return period:	ng on the following 30 June (Include description sufficient	OR *Sources o	commencing on the first day f other income I received at any erson from whom, or the
3. * Sources of other income I	ng on the following 30 June (Include description sufficient	OR *Sources o	f other income I received at any

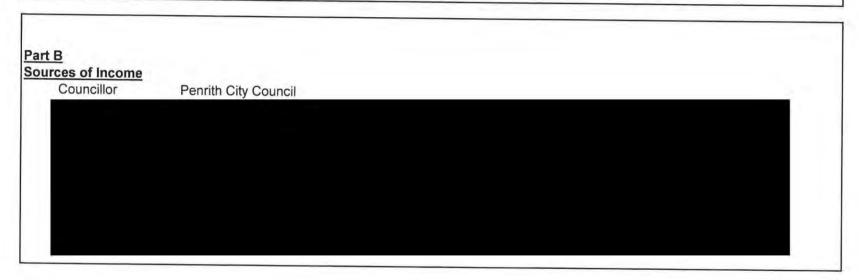
## C. Gifts - Schedule 1, Part 2, Clauses 9 - 11 of the Model Code of Conduct

- > A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.

James Ashley Aitken Disclosure of Interests As at 30th June 2021

Filename: Pecuniary Interest JAA 210630

Interest	Employer	Position	Objects





#### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIL	

### D. Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- > person making an annual return under clause 4.12 of the Code must disclose:
  - the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- > A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NIL		

## E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



## E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
See Attached			

# F. Interests as a property developer or a close associate of a property developer – Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct

- ➤ A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
- For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No	
	NIL	
	1 -	

## G. Positions in trade unions and professional or business associations – Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose:
- a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
- the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.
- A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.

## James Ashley Aitken Disclosure of Interests As at 30th June 2021

Filename: Pecuniary Interest JAA 210630

			<u>Objects</u>
erests & Positions			
Penrith City Council	Councillor	Councillor	
Aitken BBQ Trust		Manager	Advertising
Jim Aitken & Partners Holdings Pty Ltd	Shareholder	Managing Director	Real Estate Service
Jim Aitken & Partners No 1 Pty Ltd	Shareholder	Managing Director	Real Estate Service
Jim Aitken & Partners Superannuation Pty Ltd	Trustee of Jim Aitken Superannuation Plan	Managing Director	Trustee Company
Glenbrook Village Real Estate Pty Ltd	Trustee of Aitken BBQ Trust	Managing Director	Trustee Company
J Aitken Securities Pty Ltd	Shareholder	Managing Director	Investment Company
J Aitken Investments Pty Ltd	Shareholder	Managing Director	Investment Company
Jim Aitken Superannuation Plan		Member	Super Fund
Mountain Blue Café & Gifts - Glenbrook	Partner	Partner	Shop
JA Aiken, DJ Reeves, JW Aitken, MR Aitken	Partner	Partner	Property Investments
James Ashley Aitken & David John Reeves	Partner	Partner	
Olatype Pty Ltd	Member	Shareholder	Property Investments
Leonay Links Pty Ltd t/as The Fairways Unit trust	2017/2017 29		Property Investments



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position
NIL	

### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - i. the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



Name and address of each person to whom I was liable to pay any debt at the return date/ at any time during the return period
NIL
<ol> <li>Disposition of real property – Schedule 1, Part 2, Clauses 23 – 25 of the Model Code of Conduct</li> </ol>
A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.
I. Disposition of real property
Particulars of each disposition of real property by me (including the street address of the affect property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.
NIL



Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time during the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the property.
NIL
J. Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct
<ul> <li>A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.</li> <li>J. Discretionary disclosures</li> </ul>
NIL



Part 4 of the Model Code of Conduct for Local Councils in NSW

### DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

### General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed.
   Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

#### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information* (Public Access) Act and the Regulation 2009 and any guidelines issued by the Information Commissioner. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

### DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

By: Councillor John Thain

(Full Name of Councillor or Designated Person)

In respect of the period

from: 1 July 2020 to 30 June 2021

(Return Period)

30/08/2021

(Councillor's or Designated Person's Signature/Typed Name)

(Date the form was completed)



## A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

A person making an annual return under Clause 4.21 of the Code must disclose:

- a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
- b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

## B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

from an occupation at any tir	date and ending on the t me during the return per	following 30 June O riod Sources.	n in the period commencing on R *Sources of income I received
Description of Occupation	Name & address employer/description of office held		Name under which partnership conducted (if applicable)
Councillor	Penrith City Council 601 High Street Penrith NSW 2749		
2. *Sources of income I reas	onably expect to receive	from a trust in the	period commencing on the first
	ending on the following		es of income I received from a
Name and address of settlor		Name and address of trustee	
		Transcaria addition	-3
NIL			
3. * Sources of other income after the return date and end time during the return period	I reasonably expect to a ing on the following 30 : (Include description suff	receive in the period June OR *Sources o	I commencing on the first day of other income I received at any erson from whom, or the
	I reasonably expect to a ing on the following 30 : (Include description suff	receive in the period June OR *Sources o	of other income I received at any
3. * Sources of other income after the return date and end time during the return period circumstances in which, that inc	I reasonably expect to a ing on the following 30 : (Include description suff	receive in the period June OR *Sources o	of other income I received at any

### C. Gifts – Schedule 1, Part 2, Clauses 9 – 11 of the Model Code of Conduct

- A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or



C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIL	

### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- > A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



## E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
NIL			

# F. Interests as a property developer or a close associate of a property developer – Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct

- A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
- For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No	
	NO	

# G. Positions in trade unions and professional or business associations – Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose:
- a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
- the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.
- A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position
NIL	

## H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- > A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



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me and address of each person to whom I was liable to pay any debt at the return date/ at any time ring the return period		
NIL		

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

I. Disposition of real property

Particulars of each disposition of real property by me (including the street address of the affected property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.				
NIL				



duri	Particulars of each disposition of property to a person by any other person under arrangements de by me (including the street address of the affected property), being dispositions made at any time ing the return period, as a result of which I obtained, either wholly or in part, the use and benefit of property.
	NIL
J.	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct  ➤ A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.  J. Discretionary disclosures
	NIL



## MEMORANDUM

To:

Councillor Karen McKeown OAM

From:

Governance Coordinator, Adam Beggs

Date:

2 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

## DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

## General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

#### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

### DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

(Councillor's or Designated Person's Signature/Typed Name)

Бу.	(Full Name of Councillor or Designated Person)
n respect of the period from:	1 July 2020 to 30 June 2021
	(Return Period)
	02/08/2021

(Date the form was completed)



### A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

### B. Source of income – Schedule 1, Part 2, Clauses 26 – 30 of the Model Code of Conduct

- ➤ A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
  - A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
    - in relation to income from an occupation of the person:
      - a description of the occupation, and
      - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
      - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
    - in relation to income from a trust, the name and address of the settlor and the trustee, or
    - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.
  - The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.



- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

### B. Sources of income

Description of Occupation	Name & address employer/description of office held		Name under which partnership conducted (if applicable)
Councillor Councillor	Penrith City Council, 601 High St Penrith Hawkesbury River County Council, Windsor		
day after the return date and	nably expect to receive from a		
		e and address o	
Name and address of settlor		e and address o	
after the return date and end	I reasonably expect to receive ng on the following 30 June C (Include description sufficient to	in the period co	f trustee ommencing on the first day ther income I received at any

- C. Gifts Schedule 1, Part 2, Clauses 9 11 of the Model Code of Conduct
  - > A person making an annual return under clause 4.12 of the Code must disclose:
    - a) a description of each gift received since the last return, and
    - b) the name and address of the donor of each of the gifts.
  - A gift need not be included in a return if:
    - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
    - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
    - c) the donor was a relative of the donee, or
    - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
  - For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



Description of each gift I received at any time during the return period	Name and address of donor
NIL	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



#### D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NIL		

### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - the name and address of each corporation in which they had an interest or held a
    position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



## E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
PPVA		Director	
LGNSW		Director	
ALGA		Director	
Penrith CBD Corporation		Board member	
LGSS trading as Active Super		Director	
Mcbrekar Pty Ltd		Co- director	

## Interests as a property developer or a close associate of a property developer – Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct

- A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
- For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)		
	No	

### G. Positions in trade unions and professional or business associations – Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose:
- a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
- the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.
- A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position

### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/ at any time during the return period

NIL

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

I. Disposition of real property

1 Particulars of each disposition of real property by me (including the street address of the affected
property) at any time during the return period as a result of which I retained, either wholly or in part, the
use and benefit of the property or the right to re-acquire the property at a later time.

NIL

2	Particulars of each disposition of property to a person by any other person under arrangements
made	by me (including the street address of the affected property), being dispositions made at any time
during	the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the
proper	ty.

NIL

- J. Discretionary disclosures Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct
  - A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

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J.	DISC	retior	iarv d	ISC	osures



## MEMORANDUM

To:

Councillor Kath Presdee

From:

Governance Coordinator, Adam Beggs

Date:

2 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

## DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

## General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

## Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

## **DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS**

(Clause 4.21 of the Model Code of Conduct)

By: Councillor Kath Presdee

(Full Name of Councillor or Designated Person)

In respect of the period from:

1 July 2020 to 30 June 2021

(Return Period)

7 September 2021

(Councillor's or Designated Person's Signature/Typed Name)

(Date the form was completed)



## A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

Nature of Interest

### B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - i. a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee,
     or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

from an occupation at any tin Description of Occupation		employer/description	Name under which partnership
	of office held		conducted (if applicable)
7 *6		The English to About To About	
day after the return date and	ending on the follow		period commencing on the first ces of income I received from a
trust during the return period Name and address of settlor		Name and address	s of trustee
Name and address of settlor			
Nil			
Nil			
3. * Sources of other income			d commencing on the first day
3. * Sources of other income after the return date and endi	ng on the following	30 June OR *Sources of	of other income I received at any
after the return date and endi	ng on the following (Include description	30 June OR *Sources of	of other income I received at any
3. * Sources of other income after the return date and endi	ng on the following (Include description	30 June OR *Sources of	of other income I received at any
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3. * Sources of other income after the return date and endi ime during the return period circumstances in which, that inc	ng on the following (Include description	30 June OR *Sources of	of other income I received at any

#### C. Gifts – Schedule 1, Part 2, Clauses 9 – 11 of the Model Code of Conduct

- A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- A gift need not be included in a return if:
  - it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
Nil	

### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
Nil		

### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



### E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
Nil			

- F. Interests as a property developer or a close associate of a property developer Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No No	

- G. Positions in trade unions and professional or business associations Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position

### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- > A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



	me and address of each person to whom I was liable to pay any debt at the return date/ at any time ring the return period
Nil	
	Disposition of real property – Schedule 1, Part 2, Clauses 23 – 25 of the Model Code of
	Conduct
	A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

<ol> <li>Disposi</li> </ol>	tion of	real	pro	perty
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100	Disposition of real property Particulars of each disposition of real property by me (including the street address of the affected
prop	or at any time during the return period as a result of which I retained, either wholly or in part, the benefit of the property or the right to re-acquire the property at a later time.
400	senion of the property at the right to to acquire the property at a later time.



duri	Particulars of each disposition of property to a person by any other person under arrangements le by me (including the street address of the affected property), being dispositions made at any time ng the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the perty.
nil	
J.	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct  ➤ A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.
	J. Discretionary disclosures
nil	

# PENRITH

# MEMORANDUM

To: Councillor Kevin Crameri OAM

From: Governance Coordinator, Adam Beggs

Date: 2 August 2021

Subject: Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021**.

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator

# DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

By: Councillor Kevin Crameri OAM

(Full Name of Councillor or Designated Person)

In respect of the period from: 1 July 2020 to 30 June 2021

4-8-2

(Return Period)

(Councillor's or Designated Person's Signature/Typed Name)

(Date the form was completed)

# A. Real property – Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- ➤ A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- ➤ In clause 5, interest includes an option to purchase.

### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which that an Nature of interest interest at the return date /at any time during the return period

# B. Source of income – Schedule 1, Part 2, Clauses 26 – 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
- ➤ A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - i. a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.
- ➤ The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- ➤ The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- ➤ A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

B. Sources of income

i. Sources of income increase by expecte receive from an exception in the parket
common ing on the dist thy after the return the and one ing on the fellowing 10 June 612
Sources of income increased from an exception at any time the ing the return parket German
Description of Name is address imployer/description Name under which performs hip
Occupation of office held conducted ((in pales be))

2. 'Sources of from a locarably expect to real to from a first in the period communished on the first thy efter the return descend entire on the following 99 June මයි 'Scurces of income in period from a trust during the return period.

Name and address of settlor

Name and address of trustee

NIL

8. <sup>a</sup> Serrees efether license I secentally expect to sective lintip perfect examenating on the first chy after the setuing et to and excluy on the following 29 et no 32 "Consect of char license I secolved at any time during the setuin perfect (include decomplian solution) to his infly the passa from whom, or the charmater con in which that income was sectived).

# C. Gifts – Schedule 1, Part 2, Clauses 9 – 11 of the Model Code of Conduct

- ➤ A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- ➤ A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- > For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.

C, Gifts

<u>මහාණුවන ශ්රයවා ලබව පොවැන්</u> රැහැ (imp dydig the හේතාක - Henre and යවරයන ග්රවාණ ඉන්නේ

# D. Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- > A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- ➤ For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



NIL

# E. Interests and positions in corporations - Schedule 1, Part 2, Clauses 15 - 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.

LLANDILO HALL COMMITTEE

PUBLIC

- F. Interests as a property developer or a close associate of a property developer Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - ➤ A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - ➤ For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.
  - F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details) No

NO

- G. Positions in trade unions and professional or business associations – Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct
  - ➤ A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business associate, in which they

- have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.
- ➤ A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.

G. Positions in trade unions and professional or business associations		
Name of each freeb union and each professional or business association in which I hald any position (whether remuncted or not) fathe fine of the return date? at any time during the return posited	فلازيانينا دياك لاديدالاناسرة	

# H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- ➤ A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- ➤ A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- ➤ A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - i. the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank,

- building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
- d) in the case of debt arising from the supply of goods or services:
  - i. the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
  - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
- e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.

H. Debts

Nhmo and address රෙයක් ලාපත කණ්ඩා 1 was little 12 pay any ඔයි යි සිට වෙන රොඩ් යි. අතර අතර අත්ත වෙන දෙන්

NIL

# I. Disposition of real property – Schedule 1, Part 2, Clauses 23 – 25 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
- ➤ A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial

year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

➤ A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

I. Disposition of real property

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NIC

2 Parieulas රැපන් රැපපත්වන රැදැපත් (සහ උපපත වා අගු වෙන ලපත (ශ්රා කෘතලකාර කරෙන හැරඹත්වේ ලදා සහ රැස්වීම සහ සහ පත්වය සහ ස්ථාන් අදාන්වා). විස්තු ඔහුනවීමට කරෙන වන වෙන්නේ සිට පත්ව ලක්වේ, සහ ගැනවීම් වැඩවත් වෙන්නේ, ප්රධාන wholly or in උත්දී, ගින අතේ විසරේ විසර ආදාකරු.

NIL

# J. Discretionary disclosures - Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct

A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

J. Discretionary disclosures

NIL



# MEMORANDUM

To:

Councillor Marcus Cornish

From:

Governance Coordinator, Adam Beggs

Date:

2 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021**.

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a>. This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

# DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

# General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- 2. All parts of the return should be completed with appropriate information for the relevant return period since the last return, that is, the period from the return date of the last return to 30 June in this year or the period from the end of the last return period to 30 June in this year (whichever is appropriate).
- 3. The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- 4. If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

## Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information* (*Public Access*) *Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

# DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

By: Councillor Marcus Cornish

(Full Name of Councillor or Designated Person)

In respect of the period

from: 1 July 2020 to 30 June 2021

(Return Period)

(Councillor's or Designated Person's Signature/Typed Name)

(Date the form was completed)

26-9-2021



# A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

> A person making an annual return under Clause 4.21 of the Code must disclose:

 a) the street address of each parcel of real property in which they had an interest at any time during the return period, and

b) the nature of the interest.

- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property	
Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period	Nature of Interest

# B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

A person making an annual return under clause 4.21 of the Code must disclose:

a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and

b) each source of income received by the person in the period since 30 June of the previous financial year.

- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:

i. a description of the occupation, and

- ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
- iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
- in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.
- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.



The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.

> A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the

LGA need not be disclosed.

-	-					
R	SOI	ırces	Ot	ın	CO	me

1. *Sources of income I reaso the first day after the return d from an occupation at any tim	ate and ending on the follo	wing 30 June O	n in the period commencing on R *Sources of income I received
Description of Occupation	Name & address employer/description of office held		Name under which partnership conducted (if applicable)
Councillor Councillor	Penrith City Council HRCC		
day after the return date and trust during the return period	ending on the following 30	June OR *Source	period commencing on the first ces of income I received from a
Name and address of settlor	N	ame and addres	s of trustee
3. * Sources of other income after the return date and endi time during the return period circumstances in which, that inc	ng on the following 30 Jun : (Include description sufficie	e OR *Sources of	d commencing on the first day of other income I received at any person from whom, or the

# C. Gifts - Schedule 1, Part 2, Clauses 9 - 11 of the Model Code of Conduct

- > A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.

> A gift need not be included in a return if:

- a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
- b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or

c) the donor was a relative of the donee, or

d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.

For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIL	

### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NIL		

# E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
M & M Cornish Partners Pty Ltd		Director	Manufacturing
The Conservative Party of Australia Ltd		Director	Not for profit
M & M Conservative Pty Ltd		Director	Trustee for Super fund
Murch Holdings Pty Ltd		Director	Holding company for Super fund
Penrith White Water Stadium		Director	

- F. Interests as a property developer or a close associate of a property developer Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

<del>Yes</del> - (please give details)	No	

- G. Positions in trade unions and professional or business associations Schedule 1, Part
   2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - b) the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



# G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position

# H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



H. Debts

ing the return	n period		bt at the return date/ a	

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

I. Disposition of real property

Particulars of each disposition of real property by me (including the street address of the affected property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.

NIL.



2 made durin prope	Particulars of each disposition of property to a person by any other person under arrangements by me (including the street address of the affected property), being dispositions made at any time g the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the erty.
NIL	
J.	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct  ➤ A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.  J. Discretionary disclosures
NIL	J. Discretionary disclosures



# Part 4 of the Model Code of Conduct for Local Councils in NSW

#### DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

#### General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed.
   Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an
  appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

#### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

# DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

By: Councillor Mark Davies

(Full Name of Councillor or Designated Person)

In respect of the period from: 1 July 2020 to 30 June 2021

(Return Period)

20/9/21

(Councillor's or Designated Person's Signature/Typed Name)

2 | Page



# A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

A person making an annual return under Clause 4.21 of the Code must disclose:

 a) the street address of each parcel of real property in which they had an interest at any time during the return period, and

b) the nature of the interest.

- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

# B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - in relation to income from an occupation of the person;
    - a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

> The source of income received by the person that they ceased to receive prior to becoming a

Councillor or designated person need not be disclosed.

A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

from an occupation at any tin Description of Occupation	Name & address or	nployer/description	Name under which seet
	of office held	inproyer/description	Name under which partnership conducted (if applicable)
ouncillor	Penrith C. A	1 Council	
. *Sources of income I reason ay after the return date and rust during the return period	enably expect to receive	e from a trust in the	period commencing on the first ees of income I received from a
. * Sources of other income I	reasonably expect to	Name and address	commencing on the first day
* Sources of other income I fter the return date and ending me during the return period:	ng on the following 30 (Include description suf	receive in the period	commencing on the first day
. * Sources of other income I fter the return date and ending me during the return period:	ng on the following 30 (Include description suf	receive in the period	commencing on the first day
* Sources of other income I fter the return date and ending me during the return period: rcumstances in which, that inco	ng on the following 30 (Include description suf	receive in the period	commencing on the first day
ime during the return period: irre during the return period: ircumstances in which, that inco	ng on the following 30 (Include description suf	receive in the period	commencing on the first day

# C. Gifts - Schedule 1, Part 2, Clauses 9 - 11 of the Model Code of Conduct

- A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
- A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
  - c) the donor was a relative of the donee, or
  - subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIC	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- > A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NIL		

### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

A person making an annual return under clause 4.21 of the Code must disclose:

a) the name and address of each corporation in which he or she had an interest or held a
position (whether remunerated or not) on the return date, and

the name and address of each corporation in which they had an interest or held a
position in the period since 30 June of the previous financial year, and

c) the nature of the interest, or the position held, in each of the corporations, and

 d) a description of the principal objects of each of the corporations, except in the case of a public company.

An interest in, or a position held in a corporation need not be disclosed if the corporation is:

 a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and

b) required to apply its profits or other income in promoting its objects, and

c) prohibited from paying any dividend to its members.

An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



### E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
Debearment Holdings ply Ltd		Director	Business
Superlink Favestments		Director	SMSF
Westcare		Director	Not for profit

- F. Interests as a property developer or a close associate of a property developer Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

No.

- G. Positions in trade unions and professional or business associations Schedule 1, Part
   2, Clauses 21 and 22 of the Model Code of Conduct
  - > A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) \*at the time of the return date/\* at any time during the return period

Description of the position

# H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



н		4.

ame and address of each person to whom I was liable to pay any debt at the return date/ at any time uring the return period			me	
		NIL		

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

I. Disposition	real property	
Particulars of each disposition of real property by me (including the street address of the affected property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.		
	NIC	



2 made durin prope	Particulars of each disposition of property to a person by any other person under arrangements by me (including the street address of the affected property), being dispositions made at any time g the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the erty.
	NIL
	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of  A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.  Discretionary disclosures
	NIC



# MEMORANDUM

To:

Councillor Robin Cook

From:

Governance Coordinator, Adam Beggs

Date:

4 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021.** 

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

# DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

# General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

# Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

#### **DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS**

(Clause 4.21 of the Model Code of Conduct)

Бу.	(Full Name of Councillor or Designated Person)	
In respect of the period from:	1 July 2020 to 30 June	2021
	(Return Period)	
		3/08/2021
(Councillor's or Designated Pe	erson's Signature/Typed Name)	(Date the form was completed)



# A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

#### B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - in relation to income from an occupation of the person.
    - i. a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

Description of Occupation	Name & address employer/description of office held		Name under which partnership conducted (if applicable)	
Councillor	Penrith City Council 601 High Street, Penrith 2750			
day after the return date and trust during the return period	ending on the follow	ing 30 June OR *Source	period commencing on the first ces of income I received from a	
Name and address of settlor		Name and addres	s of trustee	
after the return date and endi time during the return period	ng on the following : (Include description s	30 June OR *Sources of	I commencing on the first day of other income I received at any erson from whom, or the	
after the return date and endi	ng on the following : (Include description s	30 June OR *Sources of	of other income I received at any	

- C. Gifts Schedule 1, Part 2, Clauses 9 11 of the Model Code of Conduct
  - A person making an annual return under clause 4.12 of the Code must disclose:
    - a) a description of each gift received since the last return, and
    - b) the name and address of the donor of each of the gifts.
  - A gift need not be included in a return if:
    - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
    - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
    - c) the donor was a relative of the donee, or
    - subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
  - For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



#### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIL	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4,12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



#### D. Contribution to travel

Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
	travel was

#### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



# E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
Nepean Community College 585 High Street, Penrith NSW	No Remuneration	Representative for the Member for Londonderry on the Board	

- Interests as a property developer or a close associate of a property developer –
   Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

No

- G. Positions in trade unions and professional or business associations Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



uring the r	address of each person to whom I was liable to pay any debt at the return date/ at any time return period
L	
Cond	
۶	A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
>	- 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
>	A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.



duri	Particulars of each disposition of property to a person by any other person under arrangements le by me (including the street address of the affected property), being dispositions made at any time ng the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the perty.
NIL	
J.	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct  ➤ A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.  J. Discretionary disclosures
NIL	



Part 4 of the Model Code of Conduct for Local Councils in NSW

### DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

### General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- 2. All parts of the return should be completed with appropriate information for the relevant return period since the last return, that is, the period from the return date of the last return to 30 June in this year or the period from the end of the last return period to 30 June in this year (whichever is appropriate).
- 3. The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- 4. If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information* (*Public Access*) *Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

#### DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

By: Councillor Ross Fowler OAM

(Full Name of Councillor or Designated Person)

In respect of the period

from: 1 July 2020 to 30 June 2021

(Return Period)

(Date the form was completed)

(Councillor's or Designated Person's Signature/Typed Name)



# A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

> A person making an annual return under Clause 4.21 of the Code must disclose:

- a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
- b) the nature of the interest.
- > An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- > In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

# B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- > A person making an annual return under clause 4.21 of the Code must disclose:
  - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
- > A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - i. a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or



- in relation to income from a trust, the name and address of the settlor and the trustee, b)
- in relation to any other income, a description sufficient to identify the person from c) whom, or the circumstances in which the income was received.
- > The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- > The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- > A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

B. Sources of income		
the first day after the return d	onably expect to receive from an o late and ending on the following 3 ne during the return period Sourc	occupation in the period commencing on 30 June OR *Sources of income I received es.
Description of Occupation	Name & address employer/des of office held	scription Name under which partnership conducted (if applicable)
Councillor	Penrith City Council 601 High Street Penrith NSW 2750	
2. *Sources of income I reaso day after the return date and trust during the return period	ending on the following 30 June (	ust in the period commencing on the first OR *Sources of income I received from a
Name and address of settlor	Name at	nd address of trustee
Nil		
after the return date and end	ing on the following 30 June OR * : (Include description sufficient to id come was received).	
Mayoral & Council Allowance	601 High	City Council n Street NSW 2750

- Gifts Schedule 1, Part 2, Clauses 9 11 of the Model Code of Conduct > A person making an annual return under clause 4.12 of the Code must disclose:
  - a) a description of each gift received since the last return, and
  - b) the name and address of the donor of each of the gifts.
  - > A gift need not be included in a return if:
    - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or



- b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
- c) the donor was a relative of the donee, or
- d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.

C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
Nil	

# D. Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- > person making an annual return under clause 4.12 of the Code must disclose:
  - the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
    - b) was made by a relative of the traveller, or
    - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
    - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
    - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
    - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
    - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- > For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
N/A		

# E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- > A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- > An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



# E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
Refer attached schedule			

- F. Interests as a property developer or a close associate of a property developer Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No	
N/A		

- G. Positions in trade unions and professional or business associations Schedule 1, Part
   2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
  - the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position

# H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - i. the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - i. the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



H. Debts

Nil	

- Disposition of real property Schedule 1, Part 2, Clauses 23 25 of the Model Code of Conduct
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
  - A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
  - > A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

Disposition of real property
 Particulars of each disposition of real property by me (including the street address of the affected property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.

Nil



	CITY COUNCIL
2 made b during propert	Particulars of each disposition of property to a person by any other person under arrangements y me (including the street address of the affected property), being dispositions made at any time the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the y.
Nil	
С	iscretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of onduct  > A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.
Chairm	. Discretionary disclosures an of Civic Risk West, an insurance risk management joint venture of various Councils. entative of Penrith City Council
	an of Civic Risk Mutual Limited ly Mutual Management Services Ltd)

# E. INTEREST AND POSITIONS IN CORPORATIONS - Return Period 1.07.20 to 30.06.21

Name of each Corporation in which I had an interest or held a position at any time during the ordinary return period	Nature of Interest (if any)	Description of Position (if any)	Description of Principal objects of corporation (except in case of public company)
PN Fewler Pty Ltd			
BN Fowler Pty Ltd 1589 Mulgoa Road, Wallacia	Shareholder	Director & Secretary	Investments
			Management
Bruttowl Pty Ltd	Shareholder	Director	Services and Trustee
	Non Beneficial		
All Metal Products Limited	Shareholder	Director & Secretary	Wire Products Manufacturers
DLID Dejuties Dt. Limited		Director	Non Operating
BHB Printing Pty Limited		Director	Non Operating
Blaxland Crossing Recreation			Recreation Reserve and
& Rest Grounds Land Manager Alwyn Avenue, Wallacia	ξ.	Trustee	Caravan Park Operator
	Non Beneficial		
PA Baker Pty Ltd	Shareholder	9	Trustee Company
Penrith City Children's			
Services Coperative Ltd	Non Beneficial Shareholder	Director	Child Care Facilities Administrator
601 High Street, Penrith	Snareholder	Director	Administrator
Australian Foundation			
for Disability (AFFORD)  Marianne Street, Minchinbury	Table Fie	Chairman	Disability Services Provider
		onamian,	= 1.5.5.m. <b>,</b> 1.5.5.5.5.5.5.5.5.5.5.5.5.5.5.5.5.5.5.5
Dunheved Nominees Pty Limited	Shareholder	Director & Secretary	Nominee & Trustee Company
, ty Ellitton	3113131101401		AASANGAS S ARAA SAA SA SAS AA AA AA AA
Penrith Whitewater Stadium Ltd			Canoe/Slalom
McCarthys Lane, Cranebrook		Director	Facility Operator
All Metal Products (Wire)			
Pty Limited	-	Secretary	Wire Products Manufacturers

Name of each Corporation in which I had an interest or held a position at any time during the ordinary return period	Nature of Interest (if any)	Description of Position (if any)	Description of Principal objects of corporation (except in case of public company)
Penrith Valley Management			
Services Pty Ltd	Shareholder	Director	Management Company
FoodCross Pty Ltd	8	Director & Secretary	Investments
Penrith Performing & Visual Arts Ltd - 680 High Street Penrith	2	Director	Gallery & Theatre Operator
CivicRisk Mutual Ltd 2/77 Union Road Penrith		Director	Service Entity
Baker & Provan Pty Limited 9 Power Street, St Marys	e	Director	Manufacturing
Baker & Provan Industries Pty Ltd	4	Director	Holding Company
Baker & Provan Holdings Pty Ltd 2 Bent Street, St Marys	12	Director	Property Company
Baker & Provan Defence Pty Ltd 9 Power Street, St Marys	n <del>à</del>	Director	Defence Indemnity Services
Baker & Provan Services Pty Ltd 9 Power Street, St Marys	÷.	Director	Manufacturing Service Compar
Baker & Provan Southern Pty Ltd 9 Power Street, St Marys	Gr.	Director	Manufacturing
Ross Fowler & Co Pty Limited	-	Director	Accounting Practice
Olatype Pty Ltd	5	Shareholder	Investment

<sup>\*</sup> Unless otherwise stated address is 11 Tindale Street, Penrith



Part 4 of the Model Code of Conduct for Local Councils in NSW

#### DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

# General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

#### Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

#### DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS

(Clause 4.21 of the Model Code of Conduct)

(Councillor Todd Carney

(Full Name of Councillor or Designated Person)

In respect of the period from:

1 July 2020 to 30 June 2021

(Return Period)

(Councillor Todd Carney

(Full Name of Councillor or Designated Person)

1 July 2020 to 30 June 2021

(Return Period)

(Date the form was completed)



### A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

### B. Source of income - Schedule 1, Part 2, Clauses 26 - 30 of the Model Code of Conduct

- > A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - i. a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

Penrith City Cou 601 High Street	Incil Penrith NSW 2750	
	T-15-74-7-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	
oly expect to re ling on the follo	ceive from a trust in the owing 30 June OR *Source	period commencing on the first es of income I received from a
	Name and address	s of trustee
Nil		
on the followin clude descriptio	g 30 June OR *Sources of	of other income I received at any
	Nil	
	asonably expension the following	asonably expect to receive in the period on the following 30 June OR *Sources on the description sufficient to identify the period was received).

- C. Gifts Schedule 1, Part 2, Clauses 9 11 of the Model Code of Conduct
  - > A person making an annual return under clause 4.12 of the Code must disclose:
    - a) a description of each gift received since the last return, and
    - b) the name and address of the donor of each of the gifts.
  - A gift need not be included in a return if:
    - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
    - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
    - c) the donor was a relative of the donee, or
    - subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
  - > For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
Nil	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
Nil		

#### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- > A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



### E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
Penrith City Council	Councillor	East Ward Councillor	

- F. Interests as a property developer or a close associate of a property developer Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct
  - A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
  - For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No	

- G. Positions in trade unions and professional or business associations Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct
  - A person making a return under clause 4.21 of the Code must disclose:
  - the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date,
  - b) the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
  - A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association and each professional or business association in which I held any position (whether remunerated or not) \*at the time of the return date/\* at any time during the return period

Description of the position

#### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



	return period
it	
Dispo Cond	osition of real property – Schedule 1, Part 2, Clauses 23 – 25 of the Model Code of uct
A	A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
>	A person making an annual return under clause 4.21 of the Code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
>	A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.
I. Disp	position of real property
operty) at	iculars of each disposition of real property by me (including the street address of the affecte any time during the return period as a result of which I retained, either wholly or in part, the nefit of the property or the right to re-acquire the property at a later time.
1	



dur	Particulars of each disposition of property to a person by any other person under arrangements de by me (including the street address of the affected property), being dispositions made at any time ing the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the perty.
Nil	
i.	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct  ➤ A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.  J. Discretionary disclosures
Nil	



# MEMORANDUM

To:

Councillor Tricia Hitchen

From:

Governance Coordinator, Adam Beggs

Date:

2 August 2021

Subject:

Disclosures of Pecuniary Interests and other Matters

Part 4, Clause 4.21 of the Model Code of Conduct for Local Councils in NSW requires all Councillors holding that position on 30 June each year to disclose their pecuniary interests and other matters specified in Schedule 1 of the Code on a Disclosure of Interests Form within three (3) months of that date or becoming aware of an interest required to disclose under Schedule 1 that has not been previously disclosed.

Consequently, please complete the attached Disclosure of Interests Form, sign and date it on the first page, and return it to me **prior to 30 September 2021**.

If there are no matters to be disclosed in any section of your return, write the word "NIL" in that section. (This is a requirement under the Code). Don't leave any sections blank, and don't write "N/A", "Not Applicable" or draw lines through any unused sections.

Please take the time to complete your return correctly, and in particular, please ensure that all information in each section is completed.

Please refer to the attached guide provided by the Office of Local Government, which can also be downloaded from <a href="https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf">https://www.olg.nsw.gov.au/wp-content/uploads/Model-Code-of-Conduct-Completing-returns-of-interest.pdf</a> . This guide provides suggestions to assist you with completion of your return.

If you require any further information regarding the completion of your pecuniary interest return, please contact me on extension 4732 7597.

Your co-operation in this matter is appreciated.

Adam Beggs

Governance Coordinator





Part 4 of the Model Code of Conduct for Local Councils in NSW

# DISCLOSURE OF INTERESTS BY COUNCILLOR OR DESIGNATED PERSON

# General Instructions in Completing the Return

- The pecuniary interests and other matters to be disclosed in this return are incorporated in Part 4 of the Model Code of Conduct for Local Councils in NSW as prescribed by local Government Act 1993 and Local Government (General) Regulation 2005.
- All parts of the return should be completed with appropriate information for the relevant return
  period since the last return, that is, the period from the return date of the last return to 30 June
  in this year or the period from the end of the last return period to 30 June in this year
  (whichever is appropriate).
- The particulars required to complete this form should be written in block letters or typed. Forms with illegible information will need to be returned to you for correction.
- If any space is insufficient in this form for all the particulars required to complete it, an appendix properly identified and signed by you is to be attached.

#### Note:

If there are no pecuniary interest or other matters of the kind required to be disclosed under a particular main heading in this form, the word 'NIL' is to be placed in an appropriate space under that heading.

# Important Information

This information is being collected for the purpose of compliance with Clause 4.21 of the Model Code of Conduct. You must not lodge a return that you know, or ought reasonably to know, is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred to the Local Government Pecuniary Interest and Disciplinary Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council Meetings. The returns register is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* and the *Regulation 2009* and any guidelines issued by the *Information Commissioner*. You have an obligation to keep the information contained in this register up to date. If you become aware of a new interest that must be disclosed or an interest that you previously fail to disclose you must submit an updated return within 3 months of becoming aware of the previously undisclosed interest.

#### **DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS**

(Clause 4.21 of the Model Code of Conduct)

Ву:	Councillor Tricia Hitchen (Full Name of Councillor or Designate	d Person)
In respect of the period from:	1 July 2020 to 30 June 20	21
	(Return Period)	
02/	08/2021	
(Councillor's or Designated Pe	rson's Signature/Typed Name)	(Date the form was completed)



# A. Real property - Schedule 1, Part 2, Clauses 5, 6 & 7 of the Model Code of Conduct

- A person making an annual return under Clause 4.21 of the Code must disclose:
  - a) the street address of each parcel of real property in which they had an interest at any time during the return period, and
  - b) the nature of the interest.
- An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - as a trustee, if the interest was acquired in the ordinary course of an occupation not related to his or her duties as the holder of a position required to make a return.
- An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- In clause 5, interest includes an option to purchase.

#### Note:

You have a pecuniary interest in a property if you own or are buying your own home, rent a property, or if you live in a property owned by someone else but don't actually pay them.

A. Real property

Address of each parcel of real property in which I had an interest at the return date/ at any time during the return period

Nature of Interest

### B. Source of income – Schedule 1, Part 2, Clauses 26 – 30 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on following 30 June, and
  - each source of income received by the person in the period since 30 June of the previous financial year.
- A reference in clause 26 to each source of income received or reasonably expected to be received by a person is a reference to:
  - a) in relation to income from an occupation of the person:
    - i. a description of the occupation, and
    - ii. if the person is employed or the holder of an office, the name and address of his or her employer or a description of the office, and
    - iii. if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
  - in relation to income from a trust, the name and address of the settlor and the trustee, or
  - in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which the income was received.



- The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- The source of income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### B. Sources of income

Councillor  2. *Sources of income I reasonably expect to receive from a trust in the period commencing day after the return date and ending on the following 30 June OR *Sources of income I receivest during the return period.  Name and address of settlor  NIL  3. * Sources of other income I reasonably expect to receive in the period commencing on the period commencing o	
day after the return date and ending on the following 30 June OR *Sources of income I rece trust during the return period.  Name and address of settlor  Name and address of trustee  NIL  3. * Sources of other income I reasonably expect to receive in the period commencing on the	
Name and address of settlor  NIL  3. * Sources of other income I reasonably expect to receive in the period commencing on the	
3. * Sources of other income I reasonably expect to receive in the period commencing on the	
after the return date and ending on the following 30 June OR *Sources of other income I rec time during the return period: (Include description sufficient to identify the person from whom, or circumstances in which, that income was received).	ceived at any
circumstances in which, that income was received).	

- C. Gifts Schedule 1, Part 2, Clauses 9 11 of the Model Code of Conduct
  - A person making an annual return under clause 4.12 of the Code must disclose:
    - a) a description of each gift received since the last return, and
    - b) the name and address of the donor of each of the gifts.
  - A gift need not be included in a return if:
    - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
    - it was a political donation disclosed, or required to be disclosed, under Part 3 of the Election Funding Act 1981, or
    - c) the donor was a relative of the donee, or
    - subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
  - For the purposes of above clause, the amount of a gift other than money is an amount equal to the value of the property given.



#### C. Gifts

Description of each gift I received at any time during the return period	Name and address of donor
NIL	

#### Contribution to travel – Schedule 1, Part 2, Clauses 12 – 14 of the Model Code of Conduct

- person making an annual return under clause 4.12 of the Code must disclose:
  - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person since the last return was made, and
  - b) the dates on which the travel was undertaken, and
  - the names of the States and Territories, and of the overseas countries, in which the travel was undertaken.
- A financial or other contribution to any travel need not be disclosed under this clause if it:
  - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to his or her functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12 month period or less, or
  - e) was a political donation disclosed, or required to be disclosed under Part 3 of the Election Funding Act, 1981, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- For the purposes of above clause, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.



#### D. Contribution to travel

Name and added of each person who made any financial or other contribution to any travel undertaken by me at any time during the return period	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
NIL		

### E. Interests and positions in corporations – Schedule 1, Part 2, Clauses 15 – 18 of the Model Code of Conduct

- A person making an annual return under clause 4.21 of the Code must disclose:
  - a) the name and address of each corporation in which he or she had an interest or held a
    position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
  - c) the nature of the interest, or the position held, in each of the corporations, and
  - a description of the principal objects of each of the corporations, except in the case of a public company.
- An interest in, or a position held in a corporation need not be disclosed if the corporation is:
  - a) formed for the purpose of providing recreation or amusement or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
- An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.



# E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position *at the return date/* at any time during the return period	Nature of Interest (if any)	Description of position (if any)	Description of principal objects (if any) or corporation (except in case of listed company)
Ryan Hitchen Pty Ltd Lauren Hitchen Pty Ltd	Director		
The Haven Nepean Womens Shelter	Director		
St Marys Town Centre Board	Director		

# F. Interests as a property developer or a close associate of a property developer – Schedule 1, Part 2, Clauses 19 and 20 of the Model Code of Conduct

- A person making a return under clause 4.12 of the Code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
- For the purposes of above clause close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the Electoral Funding Act 2018. Property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

# F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

Yes - (please give details)	No	

# G. Positions in trade unions and professional or business associations – Schedule 1, Part 2, Clauses 21 and 22 of the Model Code of Conduct

- > A person making a return under clause 4.21 of the Code must disclose:
- a) the name of each trade union, and of each professional or business association, in which he or she held any position (whether remunerated or not) on the return date, and
- the name of each trade union, and of each professional or business associate, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.
- A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.



G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) *at the time of the return date/* at any time during the return period	Description of the position

#### H. Debt - Schedule 1, Part 2, Clauses 31 - 33 of the Model Code of Conduct

- A person making a return under clause 4.21 of the Code must disclose the name and address of each person to whom the person was liable to pay any debt on the return date and at any time since the last return.
- A liability to pay a debt must be disclosed by a person in a return whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time since 30 June of the previous financial year, as the case may be.
- > A liability to pay a debt need not be disclosed by a person in a return of:
  - a) The amount to be paid did not exceed \$500 on the return date or at any time since the last return, as the case may be unless:
    - the debt was one of two or more debts that the person was liable to pay to one person on the return date or at any time since the last return was made, and
    - ii. the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to a bank, building society, credit union or other person whose ordinary business includes the lending of money and the loan was made in the ordinary course of business of the lender, or
  - d) in the case of debt arising from the supply of goods or services:
    - the goods or services were supplied in the period of 12 months immediately preceding the return date or were supplied since the last return, or
    - ii. the goods or services were supplied in the ordinary course of any occupation of the person that is not related to his or her duties as the holder of a position required to make a return.
  - e) subject to clause 33 (a), the debt was discharged prior to the person becoming a Councillor or designated person.



	address of each person to whom I was liable to pay any debt at the return date/ at any time return period
NIL.	
	osition of real property – Schedule 1, Part 2, Clauses 23 – 25 of the Model Code of
Disp	

the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
A disposition of real property need not be disclosed it if was made prior to a person becoming a Councillor or designated person.

A person making an annual return under clause 4.21 of the Code must disclose

particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June if the previous financial year, that is made under arrangements with, but is not made by, the person making

I. Disposition of real property

Particulars of each disposition of real property by me (including the street address of the affected property) at any time during the return period as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time.	
NIL	



Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time during the return period, as a result of which I obtained, either wholly or in part, the use and benefit of the property.	
NIL	
J.	Discretionary disclosures – Schedule 1, Part 2, Clauses 34 of the Model Code of Conduct  A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.  J. Discretionary disclosures
NIL	