

# Political donations audit

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This document addresses the results of the department's annual audit of political donations disclosure statements associated with State Significant Development (SSD) applications.

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## Why are applicants required to report political donations when lodging a state significant development application?

The *Environmental Planning and Assessment Act 1979* (the Act) requires the public disclosure of donations or gifts when lodging or submitting comment on state significant development applications.

The law is important to provide transparency and minimise the perception of undue influence in the planning process. It is the responsibility of the applicant or submitter to ensure they have met the requirements specified under the Act.

## When is a political donation disclosure statement required?

A Disclosure Statement is required if:

- A person/company making a planning application and the applicant, or a person with a financial interest in the application, have made reportable political donations adding up to or exceeding \$1,000 in the two years prior to an application or while the application is being assessed; or
- A person/company makes a submission in respect of a planning application and they, or their associate, have made reportable political donations adding up to or exceeding \$1,000 in the two years prior to the submission.

## Recent audit findings

- 2020 audit: 63 out of the 63 applicants audited had fully complied with their obligations to disclose political donations in accordance with the Act.
- 2021 audit: 62 out of the 62 applicants audited had fully complied with their obligations to disclose political donations in accordance with the Act.
- 2022 audit: 35 out of 35 applicants audited had fully complied with their obligations to disclose political donations in accordance with the Act.
- 2023 audit: 59 out of 59 applicants audited had fully complied with their obligations to disclose political donations in accordance with the Act.

## How are applicants are chosen to be audited?

The department undertakes an annual audit of **all** development applications before it, as at the end of February each year. This excludes government projects.

### How are the audits conducted?

Audits are conducted by assessing the political disclosure statements of development applications against returns provided to the NSW Electoral Commission by persons with a financial interest in the development.

### Who conducts these audits?

The department's Compliance team conducts the annual audit.

### How are political donations disclosures monitored?

The department's online development application system ensures that all applicants for state significant developments cannot proceed with their application form unless a political disclosure form is submitted.

As part of its regular work, the department's compliance team undertakes annual audits of these political donation disclosure statements and where a breach is identified, the department will assess it in accordance with its Compliance Policy to determine the appropriate enforcement action. This can include official cautions.

### Where can I find out more?

- Contact the **Planning Customer Support Team** on [1300 420 596](tel:1300420596) option 2.
- Email us on [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)