Schedule 3 Form of special disclosure of pecuniary interest

submitted under Clause 4.25 of the Code of Conduct for Councillors

- 1. This form must be completed using block letters or typed.
- 2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.24(c) of the Byron Shire Council Code of Conduct for Councillors (the Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests

by			
[full na	me of councillor]		
in the matter of			
	[insert name of environmental planni	ng instrument]	
which is to be o	considered at a meeting of the		
	cil or council committee (as the case re	equires)]	
Report No	to be held on the	day of	

Pecuniary interest				
Address of the affected principal place of				
residence of the councillor or an associated				
person, company or body (the identified land)				
Relationship of identified land to the councillor	The Councillor has interest in the land (e.g. is owner			
[Tick or cross one box.]	or has another interest arising out of a mortgage,			
	lease, trust, option or contract, or otherwise).			
	An associated person of the councillor has an			
	interest in the land.			
	An associated company or body of the councillor has			
	an interest in the land.			
Matter giving rise to pecuniary interes				
Nature of the land that is subject to a change in	The identified land.			
zone/planning control by the proposed LEP				
(the subject land) ²	Land that adjoins or is adjacent to or is in proximity to the identified land.			
[Tick or cross one box]	to the identified fand.			
Current zone/planning control				
[Insert name of current planning instrument and				
identify relevant zone/planning control applying				
to the subject land]				
Proposed change of zone/planning control				
[Insert name of proposed LEP and identify				
proposed change of zone/planning control				
applying to the subject land				
Effect of proposed change of zone/planning				
control on councillor or associated person				
[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]				
illiancial gain of Appreciable illiancial loss				
I If we are they are a possible with react in to be declared we wint the above box and fill in far each additional				
[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional				
interest.]				
Councillor's signature				
Countries o dignatare				
Date				
[This form is to be retained by the council's general manager and included in full in the minutes of the				
meeting]				

¹ Clause 4.1 of the Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Code of Conduct has a proprietary interest.