



Declaration of Interest Form

Regulation 45 and DAP Code of Conduct 2024 Part 3

Please complete the form **in full** and submit to daps@dph.wa.gov.au.

DAP Member Name			
Position	Specialist Member <input type="checkbox"/>	Local Government Member <input checked="" type="checkbox"/>	
DAP Meeting Date (if known)			
DAP File Number Application Location			
Nature of Interest	Direct Pecuniary Interest* <input type="checkbox"/>	Tick where applicable (Definition overleaf)	
	Indirect Pecuniary Interest* <input type="checkbox"/>		
	Impartiality Interest <input checked="" type="checkbox"/>		
	Proximity Interest* <input type="checkbox"/>		
Extent of Interest	<p>Under clause 2.4.9 of the DAP Code of Conduct, I participated in the prior Council decision in accordance with my functions as a member of a local government.</p> <p>However, under clause 2.1.2 of the DAP Code of Conduct, I acknowledge that I am not bound by any previous decision or resolution of the local government. I undertake to exercise independent judgment in relation to any DAP application before me, which I will consider on its planning merits.</p>		
Signature			
Date	____/____/____		

** Members who disclose a pecuniary or proximity interest are not to be present during the consideration, discussion or vote on the matter.*



Definitions – Nature of Interest

Conflicts of interest and disclosure procedures are identified in Part 3 of the *Development Assessment Panel Code of Conduct 2024*.

3.1 Definitions

In this section:

3.1.1 **close associate** of a DAP member means a person who:

- (a) operates a business in partnership with the member; or
- (b) employs the member; or
- (c) is a beneficiary under a trust, or an object of a discretionary trust, of which the member is a trustee; or
- (d) is a body corporate:
 - (i) of which the member is a director, secretary or executive officer; or
 - (ii) in which the member holds shares with a total value exceeding \$10,000 or one per-cent of the total value of the issued share capacity of the body corporate, whichever is the lesser; or
- (e) is the spouse, de facto partner, child or close relative of the member; or
- (f) has a relationship of a kind specified in any of paragraphs (a) to (e) in relation to the member's spouse or de-facto partner if the spouse or de-facto partner is living with the member.3.1.2 For the purposes of this part, a DAP member has an interest in the matter if either –

A DAP member has an interest in a matter if either –

- (a) that DAP member; or
- (b) a close associate of that DAP member, has -
 - i. a direct or indirect pecuniary interest in the matter; or
 - ii. a proximity interest in the matter;
 - iii. an impartiality interest in the matter.

Direct pecuniary interest is one where a person has an interest in a development application where it is reasonable to expect that the application, if dealt with by a DAP, will result in a financial gain, loss, benefit or detriment for the person.

Indirect pecuniary interest is one where it is reasonable to expect that a person may receive a benefit or incur a loss, measurable in monetary terms, as a consequence of a benefit received or loss incurred by another person who has a direct or indirect interest in the matter.

Impartiality interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of a member with such an interest and includes an interest arising from kinship, friendship, partnership, or membership of an association, that is connected to a development application that is before the relevant DAP or which the member is aware may come before that DAP in future.

Proximity interest, in relation to a DAP member, means an interest of the member, or of a close associate of the member, in a development application if the application concerns land that is adjoining the person's land or is directly across a thoroughfare from the person's land.