



# Disclosures of Pecuniary Interest and Other Matters (Annual Return)

## Model Code of Conduct for Local Councils in NSW

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### Schedule 2 - Form of Written Return of Interest Submitted under Clause 4.21

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If you have previously lodged a return with the Chief Executive Officer and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the Chief Executive officer, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
3. If you have previously lodged a return with the Chief Executive Officer and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
4. This form must be completed using block letters or typed.
5. 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 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 (see clause 4.23 of the Model Code of Conduct). Complaints made about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the Chief Executive Officer in a register of returns. The Chief Executive Officer is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulations 2009 and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

## Disclosures by Councillors and Designated Persons Return

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By [full name of councillor or designated person]:\*

Hugh Phemister

Date:\*

28/09/2022

In respect of the period from 1 July 2021 to 30 June 2022

Please note:

- All sections must be completed. If you do not have anything to disclose respond with "NIL"
- You may upload additional information required to be disclosed by using the Browse field at the end of this form.
- For assistance in completing your return please refer to the Self-Help Guide.

## A. Real Property

| Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June | Nature of interest | Date Added |
|--|--------------------|------------|
| [REDACTED]   | half owner         | 28/09/2022 |

I confirm that I have answered the above question:\*

yes

## B. Sources of Income

1) Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June.

Sources of income I received from an occupation at any time since 30 June.

| Description of occupation            | Name and address of employer or description of office held (if applicable) | Name under which partnership conducted (if applicable) | Date Added |
|--------------------------------------|--|--|------------|
| Director Planning and Infrastructure | Level 4, 31 Victor Street, Chatswood - Willoughby City Council             |  | 28/09/2022 |

I confirm that I have answered the above question:\*

yes

2) Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June.

Sources of income I received from a trust since 30 June.

| Name and address of settlor | Name and address of trustee | Date Added |
|-----------------------------|-----------------------------|------------|
| No records found            |                             |            |

I confirm that I have answered the above question:\*

yes

3) Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June.

Sources of other income I received at any time since 30 June.

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]:\*

Nil

## C. Gifts

| Description of each gift I received at any time since 30 June | Name and address of donor | Date Added |
|---|---------------------------|------------|
| Not applicable  |                           | 28/09/2022 |

I confirm that I have answered the above question:\*

yes

## D. Contributions to Travel

| Name and address of each person who made any financial or other contribution to any travel undertaken by me since 30 June | Dates on which travel was undertaken | Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken | Date Added |
|---|--------------------------------------|---|------------|
| Not applicable  |                                      |   | 28/09/2022 |

I confirm that I have answered the above question:\*

yes

## 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 since 30 June | Nature of interest (if any)      | Description of position (if any) | Description of principal objects (if any) of corporation (except in case of listed company) | Date Added |
|---|----------------------------------|----------------------------------|---|------------|
| Brown Bug Pty Ltd - Director  | Trustee Company for Family Trust | Director                         | No objectives - Shell company that is trustee of family trust (inactive)                    | 28/09/2022 |
| CPL Development Group Pty Ltd - Director  | Director, owned by Family Trust  | Director                         | No objectives - Shell company (inactive)  | 28/09/2022 |

I confirm that I have answered the above question:\*

yes

## F. Property Development

Were you a property developer or a close associate of a property developer on the return date? :\*

No

## G. Position 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 return date/at any time since 30 June | Description of position | Date Added |
|---|-------------------------|------------|
| Nil   | Nil                     | 28/09/2022 |

I confirm that I have answered the above question:\*

yes

## H. Debts

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Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June:\*

Nil

## I. Dispositions of Property

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1) Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June 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:\*

Not Applicable

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 since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property:\*

Not Applicable

## J. Discretionary Disclosures

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Discretionary Disclosures:\*

Nil

Attachments (10 MB size limit):

I confirm that the information given in this form is true, complete and accurate:\*

yes

## Approval for uploading an edited copy of this record to website

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In accordance with [section 6](#) of the Government Information (Public Access) Regulation 2018 (GIPA Act), the GIPA Act requires agencies make certain information publicly available, this includes the returns of the interests of councillors and designated persons (see [clause 1\(2\)\(a\)](#) of Schedule 1).

Section 6(4) of the GIPA Act requires agencies to "facilitate public access to open access information contained in a record by deleting matter from a copy of the record to be made publicly available, if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record, and it is practicable to delete the matter".

Clause 3 in the table in [section 14](#) of the GIPA Act, lists as a consideration against disclosure the fact that information may reveal someone's personal information, or would contravene an information privacy principle under the *Privacy and Personal Information Protection Act 1998* (NSW) (PPIP Act).

An individual has a right to protect the privacy of their personal information. Given the amount of personal information that may be contained in the returns, special care should be taken to protect this right. Therefore, Council has decided that there is an overriding public interest against disclosure, and will be releasing an edited copy of the record (for example redacting the individual's signature or residential address) in accordance with [section 6\(4\)](#) of the GIPA Act.

**I agree to my Disclosure of Pecuniary interests and Other Matters form (Disclosures by Councillors and Designated Persons Return) form to be uploaded to the Council's website in an edited manner which does not disclose my personal address and signature:\***

yes

**Note:** Copies of publicly available information about returns may be made in accordance with [clause 5\(1\)\(b\)](#) of the GIPA Regulation.

If you have any concerns in relation to the release of your form on Council's website, please contact council's governance team.

## Privacy

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The personal information you provide on this form is necessary to enable Council staff to process the form and contact you in relation to the outcome. The personal information will only be viewed by Council staff who have responsibility for processing this form, however may be viewed by others as required by Law. View [Willoughby City Council's Privacy Statement](#) for further information.