

Armidale

Regional Council

ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 29 June 2016
9am

at

Guyra Council Chambers

PRESENT: Administrator, Dr Ian Tiley.

IN ATTENDANCE: Mr Glenn Wilcox (Interim General Manager), Mr Greg Meyers (Director Planning and Environment; and Community Development), Mr Keith Lockyer (Chief Financial and Information Officer), Mr Andre Kompler (Director Regional Services), Mr Rob Shaw (Director Regional Infrastructure), Mr Karl Bock (Manager Planning Regulatory and Community Services), Ms Jessica Jones (Executive Officer).

MINUTES

1. CIVIC PRAYER AND RECOGNITION OF TRADITIONAL OWNERS
ADVICE REGARDING TAPING OF MEETINGS

2. CONFIRMATION OF PREVIOUS MINUTES

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 15 JUNE
2016**

44/16

That the minutes be taken as read and be accepted as a true record of the Meeting.

The recommendation was ADOPTED.

3. DECLARATIONS OF INTEREST

A declaration of interest was received from Mr Greg Meyers, Director of Planning and Environment on item 7.2.5 Organisational Structure.

4. HAVE YOUR SAY ON AN AGENDA ITEM

Mr Andrew Murray of NERAM, spoke on item 8.2.1 New England Regional Art Museum Loan Agreement.

5. DEPUTATIONS BY GROUPS/COMMUNITY ORGANISATIONS

Nil.

5. ADMINISTRATOR MINUTES

Nil.

7. REPORTS OF OFFICERS

7.1 OUR ENVIRONMENT

7.1.1 DA-86-2016, 62 Jessie St ARMIDALE, Street Tree Removal

Ref: INT/2016/06575

45/16

- (a) That Council approve the removal of one street tree to accommodate driveway access for an existing dwelling at 62 Jessie St**
- (b) That a compensation payment of \$233.00 being the value of the tree be applied in accordance with Council's Urban Streetscape Policy for additional new street trees in the urban area.**

The recommendation was ADOPTED.

7.2 OUR GOVERNANCE

7.2.1 New England Regional Art Museum Loan Agreement

Ref: INT/2016/06744

46/16

- a) That NERAM - Armidale Community Cultural Reserve Trust continues to make payments until the outstanding debt on this debtor account is reduced to \$100,000.**
- b) If this condition is met by NERAM, Council agrees to waive the remaining balance of \$100,000.**

The recommendation was ADOPTED.

7.2.2 Armidale Regional Sports Council Funding

Ref: INT/2016/06745

47/16

- a) That the new annual Sports Council funding provided by Armidale Regional Council be fixed at \$65,000 for 2016/17 and that this amount is indexed with CPI for subsequent years.**
- b) That the merged Sports Council develop a single sports infrastructure priority list.**
- c) That Armidale Regional Council funding be applied each year to such priorities.**
- d) That all sporting bodies will be members of the Sports Council to be able to secure project funding.**

The recommendation was ADOPTED.

7.2.3 Adoption of Plans under the Integrated Planning and Reporting Framework and Making the Rates

Ref: INT/2016/06580

48/16

That in relation to the report "Adoption of Plans under the Integrated Planning and Reporting Framework and the making of Rates for 2016-2017" Council make the following determinations:

- (a) That the one year Operational Plan and Budget listed in the below table with an operating consolidated surplus of \$813,000 including an operating deficit in the General Fund of \$608,000, Operating Surplus in Water Fund of \$1.007m and Operating Surplus in Sewer Fund of \$414,000 be adopted. Included in the General Fund result are the following amendments; \$100,000 debt waiver for NERAM and recurrent funding of \$65,000 per annum (an additional \$10,000) to the Sports Council for the purpose of improvements to sporting fields across Armidale Regional Council.

2016/17 Year	General Fund (,000)	Water Fund (,000)	Sewer Fund (,000)	Consolidated (,000)
Operating Income	61,463	9,967	6,321	77,749
Operating Expenditure	47,458	8,561	5,652	61,669
Operating Result before capital Movements	14,006	1,407	669	16,081
	-	-	-	-
Less capital grants and Contributions	14,613	400	255	15,268
Operating result after capital Movements (Surplus/Deficit)	608	1,007	414	813
Capital Expenditure	39,902	6,163	3,386	49,450

- (b) That the 2016-2017 revenue policies for rates, fees and charges be adopted
- (c) In accordance with Division 5 Clause 211 (2) of the *Local Government (General) Regulation 2005*, Council approve expenditure and vote funds as detailed in the 2016-2017 Operational Plan.
- (d) That in relation to Ordinary rates, Council apply the 1.8 % rate increase as determined by IPART and pursuant to Section 494 of the *Local Government Act 1993*, Council make and levy the following ordinary rates for the year 1 July 2016 to 30 June 2017:

Rate Type and Category	Base Amount \$	Base Amount %	Ad Valorem Rate in \$	Estimated Yield PA \$
Ordinary Rates				
<u>Residential Category</u>				
Residential - Armidale	467.60	45	0.005121	8,328,510
Residential - Armidale Non Urban	485.00	46	0.002592	1,114,784
Residential - Wollomombi	200.00	41	0.013665	8,347
Residential - Ebor	200.00	40	0.009390	7,552
Residential - Hillgrove	200.00	36	0.014572	52,300
Residential - Guyra	238.00	49	0.004074	449,795
Residential - Tingha	242.50	49	0.060940	139,580
Residential - Village	182.00	49	0.005174	47,554
Residential - Guyra Non Urban	258.80	49	0.002444	99,302
<u>Business Category</u>				
Business - Armidale	791.00	20	0.011466	1,597,396
Industrial - Armidale	882.20	20	0.011466	708,096
Business - Armidale Non Urban	737.30	44	0.003830	40,209
Business - Guyra	409.80	49	0.007465	81,956
Business - Tingha	258.60	47	0.055189	16,504
Business - Village	106.70	44	0.003259	3,636
<u>Farmland Category</u>				
Farmland - Armidale	1,321.60	42	0.002522	2,664,660
Farmland - Armidale City	1,261.00	43	0.002522	20,461
Farmland - Guyra	468.00	20	0.002582	1,944,826
Farmland - Guyra Intensive	1,146.90	20	0.009499	11,470
<u>Mining Category</u>				
Mining - Armidale	995.30	19	0.029420	58,934
Mining - Guyra	252.30	41	0.013358	3,077

- (e) During the 2016/2017 financial year that a review of the rating categories be conducted using a modified process and that a new Revenue Policy be formulated in consultation with stakeholders.

(f) That in relation to water supply charges and pursuant to Sections 501 and 502 of the *Local Government Act 1993*, Council make and levy the following charges for Water Supply Services for the year 1 July 2016 to 30 June 2017:

Charge Type and Category	Standing Charge \$	Unit Charge \$	Estimated Yield PA \$
Water Service Charges			
Armidale Service Charge	220.00		1,988,140
Guyra Service Charge	320.00		335,680
Tingha Service Charge	320.00		97,920
Water Consumption Charges			
Armidale Residential Consumption		0-100kl @ \$2.47 101-250kl @ \$3.28 >250kl @ \$3.73	4,459,279
Armidale Commercial Consumption		0-100kl @ \$2.47 101-250kl @ \$3.28 >250kl @ \$3.73	801,975
Armidale Non-Rateable Consumption		\$3.43/kl	1,363,229
Armidale Non-Profit Sporting		\$2.52/kl	114,257
Armidale Untreated Water Consumption		0-100kl @ \$1.20 101-250kl @ \$2.14 >250kl @ \$2.63	139,992
Armidale Dialysis Users Consumption		0-25kl -No Charge 26-100kl @ 2.29 101-250kl @ \$3.07 >250kl @ \$3.72	196
Guyra Consumption Charge (6 monthly basis)		0-200kl @ \$1.65 201-500kl @ \$1.97 >500kl @ \$2.08	723,566
Tingha Consumption Charge (quarterly basis)		0-100kl @ \$1.65 101-250kl @ \$1.97 >250kl @ \$2.08	70,510
Guyra Dialysis Users Consumption (6 monthly basis)		0-50kl - No Charge 51-200kl @ \$1.60 201-250kl @ 1.90 >250kl @ 2.00	250
Tingha Dialysis Users Consumption (quarterly basis)		0-25kl - No Charge 26-100kl @ \$1.60 101-400kl @ 1.90 >400kl @ 2.00	-

**** Note for water:**

Average % increase for ADC – 2.33%

Average % increase for GSC – 4.14%

Average % increase for ARC 3.21%

The NSW Office of Water Best Practice Pricing Guideline requires Council to adopt appropriate water consumption charges that reflect the user pays principle. Best practice water supply pricing requires utilities to provide strong pricing signals to encourage efficient water use, with a target that 75% of income is generated from consumption charges. Guyra water consumption charges have increased by a larger percentage this financial year to move closer to the NSW best practice target. Comment taken from original GSC Revenue policy.

(g) That in relation to sewerage service charges pursuant to Section 501,502 and 551 of the Local Government Act 1993, Council make and levy the following rates and charges for sewerage services for the year 1 July 2016 to 30 June 2017:

Charge Type and Category	Standing Charge \$	Unit Charge \$	Estimated Yield PA \$
Sewerage Charges			
Armidale - Occupied	388.00		3,032,996
Armidale - Unconnected	194.00		1,164
Guyra - Occupied	615.00		506,145
Guyra - Unconnected	400.00		28,400
Tingha - Occupied	430.00		97,180
Tingha - Unconnected	132.00		2,508
Armidale Multiple Sewerage Charges			
Flats/Units		346.00	352,574
WC's - Hotels, Motels		127.00	70,866
WC's - Colleges, etc		127.00	127,889
WC's - Hospital		57.00	6,612
WC's - Schools, Churches		57.00	41,553
WC's - Non-Rateable		114.00	40,014
Urinals - Rateable		54.00	2,484
Urinals - Non-Rateable		54.00	16,200
Guyra Multiple Sewerage Charges			
Commercial/Flats & Units 1 st WC/Urinal		615.00	Included in above Guyra Service Charge
2-6 WC/Urinals		259.00	27,713
Each additional WC/Urinal		135.00	9,450
WC's Non-Rateable		135.00	18,225
Tingha Multiple Sewerage Charges			
Commercial Single		430.00	Included above Tingha Service Charge
Commercial Duplex		860.00	-

Rate Type and Category	Minimum Rate \$	Ad Valorem Rate in \$	Estimated Yield PA \$
Armidale Commercial Sewerage	388.00	0.0045	676,357

****Note for sewerage:**

Average % increase for ADC – 2.28%

Average % increase for GSC – 2.80%

Average % increase for ARC – 2.51%

- (h) That in relation to waste management charges pursuant to Sections 496, 501 and 502 of the *Local Government Act 1993*, Council make and levy the following annual charges for waste management services for the year 1 July 2016 to 30 June 2017:

Charge Type and Category	Standing Charge \$	Unit Charge \$	Estimated Yield PA \$
Armidale Waste Charges			
Domestic Waste Management		321.00	2,987,868
Additional Red Lid Service		109.00	19,620
Additional Green Lid Service		53.00	6,731
Vacant Waste Management	109.00		39,894
Commercial Waste Management		310.00	253,890
Comm. Organic Fortnightly Service		121.00	968
Comm. Weekly Organic		173.00	1,038
Comm. 2 x Weekly Organic		277.00	-
Comm. 3 x Weekly Organic		381.00	1,905
Additional Comm. Organic		52.00	-
Commercial Recycling		121.00	363
Rural Waste Management	107.00		110,103
New Landfill Charge	147.00		1,577,751
Guyra Waste Charges			
Domestic Waste (240lt) & Recycling Service		440.00	175,560
Domestic Waste (140lt) & Recycling Service		267.00	224,280
Vacant Waste Management	62.50		10,500
Commercial Waste (240lt) & Recycling Service		504.00	63,504
Commercial Waste (140lt) & Recycling Service		310.00	6,200
Commercial Waste & Recycling Unoccupied	63.50		-

- (i) That in relation to stormwater management services (Drainage Charges) pursuant to Section 496 of the *Local Government Act 1993*, Council make and levy the following annual charge for stormwater management services for the year 1 July 2016 to 30 June 2017:

Charge Type and Category	Standing Charge \$	Unit Charge \$	Estimated Yield PA \$
Armidale Drainage Charge	50.00		431,600
Guyra Stormwater Management Charge	25.00		21,700

- (j) That in relation to interest on overdue rates and charges, Council make and impose the maximum charge for interest of 8% on overdue rates and charges as determined by the Minister for Local Government pursuant to Section 566(3) of the *Local Government Act 1993*;
- (k) That in relation to fees and charges for services provided by Council as described in the Revenue Policy 2016-2017 and Fees and Charges 2016-2017 be adopted pursuant to Section 502 of the *Local Government Act 1993*.
- (l) That Council staff be required to eliminate the projected \$608k General fund deficit by June 2017.

The recommendation was ADOPTED.

7.2.4 Cash & Investments Report May 2016

Ref: INT/2016/06517

49/16

That the Cash & Investments report for Armidale Regional Council as at 31 May 2016 be received and noted.

The recommendation was ADOPTED.

7.2.5 Organisational Structure

Ref: INT/2016/06472

50/16

That the item be deferred to a future Council meeting.

The recommendation was ADOPTED.

7.2.6 Annual Supply Tender Bulk Water Treatment Chemicals

Ref: INT/2016/06466

51/16

- (a) That the recommended supplier for Schedules A, A(2), A(3), B(1), C, D, E, F, G, I, K(2), M, P, T, U (as listed in the attachment) be accepted as the most advantageous received for Council's operations for supply of Bulk Water Treatment Chemicals for the period 1 July 2016 to 30 June 2018.
- (c) That the contracts include a provision to extend the period for twelve (12) months subject to satisfactory performance.
- (d) That the General Manager be delegated authority to sign any relevant documents on Council's behalf.

The recommendation was ADOPTED.

7.2.7 Request for Water Assessment Adjustment

Ref: INT/2016/06604

52/16

That water assessment 23116-7 be reduced by \$1,604.12.

The recommendation was ADOPTED.

7.2.8 Annual Rural Fire Service Contribution

Ref: INT/2016/06746

53/16

- a) That Council notes the letter received from the NSW Rural Fire service 2 June 2016.
- b) That the Interim General Manager enter into discussion to formulate a New England Zone Agreement.

The recommendation was ADOPTED.

7.3 OUR INFRASTRUCTURE

7.3.1 Deed of Agreement with Air Services Australia re distance measuring equipment

Ref: INT/2016/06534

54/16

That Council sign under seal a Deed of Variation to Armidale Regional Airport Lease Lot 17 DP846301 between Air Services Australia and Armidale Regional Council relating to the placement of new distance measuring equipment (DME) at the leased lot.

The recommendation was ADOPTED.

7.3.2 Proposed Road Name - Ebor

Ref: INT/2016/06589

55/16

That the proposed road name of Stage Coach Lane be advertised in the local newspaper and should no objections be received, the name be adopted for the Private Road that services numbers 11710 A, B and C Waterfall Way.

The recommendation was ADOPTED.

7.3.3 Request to waive fees for "A Day on the Gravel"

Ref: INT/2016/06598

56/16

That Council provides a donation of \$455 to waive the associated fees for the event "A Day on the Gravel" organised by the Civic Advisory Committee, scheduled to be held Sunday 9 October 2016 in accordance with S356 of the *Local Government Act 1993*.

The recommendation was ADOPTED.

7.3.4 Exhibition of Draft Guyra Showground Plan of Management 2016-2026

Ref: INT/2016/06609

57/16

That the Draft Showground Plan of Management 2016-2026 be endorsed for Public Exhibition in accordance with Section 38 of the Local Government Act 1993 for a period of at least 28 days and submissions being received for a period of at least 42 days.

Following the exhibition and submission receipt period, a further report is to be prepared and presented to Council which addresses any submissions received and shall make recommendations in regard to the Plan of Management.

The recommendation was ADOPTED.

Action: That the Interim General Manager arrange a public meeting to allow discussion about the Draft Showground Plan of Management 2016-2026.

7.3.5 Armidale Regional Sports Council Terms of Reference

Ref: INT/2016/06781

58/16

That the Terms of Reference for the Armidale Regional Sports Council be approved.

The recommendation was ADOPTED.

7.4 OUR PEOPLE

7.4.1 Development of a Cultural Plan

Ref: INT/2016/06661

59/16

- a) That the preparation of an Armidale Regional Council Cultural Plan be referred to the Arts and Cultural Advisory Committee for discussion and action and be a standing item on that committee's agenda.**
- b) That Council seek support from the University of New England (UNE) in preparation of the revised Cultural Plan.**

The recommendation was ADOPTED.

7.4.2 Stronger Communities Grants Program

Ref: INT/2016/06748

60/16

- a) That Council consider a report each month on projects submitted under the Stronger Communities Grants Program.
- b) That the following Stronger Communities Grant Program projects are supported by the Administrator for approval of the Assessment Panel, such projects being:
1. Armidale RSL Sub Branch Memorial Plaques (7) for Central Park, Armidale to acknowledge the 50th Anniversary of the Battle of Long Tan (\$15,000)
 2. Armidale Dam Dragons - Building a new shed to store boats – (not stated but around \$10,000)
 3. That a safety fence be provided to the Guyra Sportsground (est. cost \$25,000)
 4. That a new kitchen is provided for the Guyra HUB building (est. cost \$10,000)
 5. That a new fence be provided to the Black Mountain tennis court (est. cost \$15,000)
 6. That a toilet block be provided adjacent to Ebor Showground
 7. That fencing materials be provided for a perimeter fence at Ebor Cemetery with construction by local voluntary labour
 8. That tiling be provided over a concrete floor at Ben Lomond Hall and concrete be extended to the front property boundary
 9. That a skillion be installed over a small concrete slab at Wollomombi Hall for protection of the BBQ area
 10. That a deck be provided at the rear of the Wollomombi Hall to enable outdoor functions and a viewing area over the children's playground
 11. That a soft water tank be installed a the Wards Mistake RFS shed
 12. That a toilet block be provided for the Wards Mistake tennis courts and RFS shed with a reasonable contribution from the RFS
 13. That the existing public toilets at Tingha be refurbished
 14. That street lighting in Tingha CBD be improved.

The recommendation was ADOPTED.

8. COMMITTEE REPORTS

8.1 Gayinyaga Aboriginal Advisory Committee - Minutes of the Meeting held on 15 June 2016

Ref: INT/2016/06599

61/16

That the Minutes of the Gayinyaga Aboriginal Advisory Committee meeting held on 15 June 2016 be noted and the following recommendations endorsed:

- a) **That the suggested Aboriginal Cemetery Memorial project be referred to the Stronger Communities Fund Assessment Panel.**
- b) **Out of respect to the descendants of Commissioner MacDonald, MacDonald Park is dual named.**
- c) **At the next meeting a list of potential names will be discussed for the dual naming of Macdonald Park.**
- d) **These names will be presented to the Aboriginal community for them to decide on the preferred name.**
- e) **When the Aboriginal community decide on a preferred name this will be presented to the wider community for further consultation.**
- f) **The Gayinyaga Terms of Reference be amended to allow membership of Aboriginal people in the former Guyra Shire area.**
- g) **That the enlarged Gayinyaga Aboriginal Advisory Committee meetings rotate to other areas.**
- h) **That Cyril Green, Council's ACLO, attend the Local Government Aboriginal Network Conference.**
- i) **That Council pay the costs for Mandy Cutmore to also attend the conference.**
- j) **That the Terms of Reference be amended to clarify that Armidale Regional Council has two representatives, one being the Administrator and the other being the former mayor Herman Beyersdorf, attend the Gayinyaga Aboriginal Advisory Committee.**

The recommendation was ADOPTED.

9. PUBLIC FORUM

Mr David Bearup spoke on the Kolora Retirement Village and requested an update of the Administrator.

The Administrator advised that there is a total of \$6m allocated for the project and Council is awaiting final costings. Plans for the existing site are still to be investigated. If the community has suggestions for the site they are welcome to put them forward.

Ms Sandra Welsman spoke on a submission she put forward on the council merger between Armidale Dumaresq and Guyra Shire. Ms Welsman spoke on the potential for a four council merger to continue in the future and views on the two and four council mergers.

DECISIONS FROM CLOSED SESSION

62/16 Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(s) of the Local Government Act, 1993 as the items lists come within the following provisions:-

10.1 Waterfall Way Intersection Tender. (INT/2016/06616) - *As this report deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i) of the Local Government Act 1993). Council closes part of this meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*

The recommendation was ADOPTED.

RESUMPTION OF MEETING

RECOMMENDATION:

That the decisions of Closed Session be noted as follows:-

10. CLOSED SESSION

10.1 Waterfall Way Intersection Tender

Ref: INT/2016/06616

63/16

That the tender for the new regional landfill intersection and access road be awarded to Keller Civil Engineering Group Pty. Ltd. for the total sum of \$559,200.00 including GST.

The recommendation was ADOPTED.

There being no further business the Administrator declared the meeting closed at 9:50am.

DECLARATION OF CONFLICT OF INTEREST FORM

To the Interim General Manager,

Given Names: Gregory Surname: Meyers

Nature of Meeting: Ordinary
 (Please tick) Extraordinary
 Other (Please Specify).....

Date of Meeting: ...29.../...06...../...2016.....

ITEM A - Report Item (see item B if the interest relates to environmental planning/zone control item)

Item No: 7.2.5 Organisational Structure Page No: 27

Reason for the Interest: Recommendation (c) in the report identifies that I be appointed to the Position of Director of Services in the new Armidale Regional Council.

This conflict of interest has been identified as an:
 (Please tick appropriate boxes)

Actual conflict of interest	<input type="checkbox"/>	<i>having a</i>	Pecuniary Interest	<input checked="" type="checkbox"/>
Perceived conflict of interest	<input type="checkbox"/>		Non-pecuniary Interest	<input type="checkbox"/>
Potential conflict of interest	<input type="checkbox"/>			

ITEM B - Report Item (complete if the interest relates to environmental planning/zone control)

Item No: _____ Page No: _____

Pecuniary interest	
Address of land in which councillor or an associated person, company or body has a proprietary interest (the <i>identified land</i>) ¹	
Relationship of identified land to councillor [Tick one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> Associated person of councillor has interest in the land. <input type="checkbox"/> Associated company or body of councillor has interest in the land.

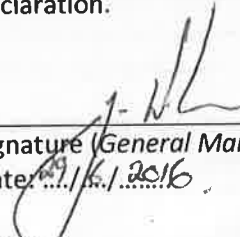
Matter giving rise to pecuniary interest ²	
Nature of land that is subject to a change in zone/ planning control by proposed LEP (the <i>subject land</i>) ³ <i>[Tick one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	

I hereby declare that the above details are correct to the best of my knowledge and I make this conflict declaration in good faith.



Signature
Date: 29/06/2016.

I hereby declare that I have received and appropriately noted this conflict of interest declaration.



Signature (General Manager)
Date: 29/06/2016

IMPORTANT INFORMATION: This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the *Local Government Act 1993*. You must not make a special disclosure 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 by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal. This form must be completed by you before the commencement of the Council or Council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. This form is to be retained by the General Manager and included in full in the minutes of the meeting.

1. Section 443 (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative⁴ or because your business partner or employer has a pecuniary interest. You may 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.
2. Section 442 of the *Local Government Act 1993* 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 section 448 of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
3. 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 section 443 (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section 448 (g) (ii) of the *Local Government Act 1993*.
4. **Relative** is defined by the *Local Government Act 1993* 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.