



THE LOCAL GOVERNMENT (REGIONAL AND TERRITORIAL AUTHORITIES AND COMMUNITY BOARDS SALARIES AND ALLOWANCES) DETERMINATION 1990

PURSUANT to section 101ZZF of the Local Government Act 1974 (as inserted by section 15 (1) of the Local Government Amendment Act (No. 2) 1989), the Minister of Local Government hereby makes the following determination.

ANALYSIS

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DETERMINATION

1. Title and commencement—(1) This determination may be cited as the Local Government (Regional and Territorial Authorities and Community Boards Salaries and Allowances) Determination 1990.

(2) This determination shall be deemed to have taken effect on and from the 1st day of November 1989.

2. Interpretation—(1) In this determination, unless the context otherwise requires, “the Act” means the Local Government Act 1974.

(2) Unless the context otherwise requires, terms used in this determination have the same meaning as in the Act.

3. Population—For the purposes of this determination, a reference to population in relation to a territorial authority or community board or regional council is a reference to,—

(a) Subject to paragraph (b) of this clause, the greater of—

(i) The population, as shown by the last census of population for which results have been published, of the district of the territorial authority or of the community or of the region;

(ii) The population, as assessed by the Government Statistician, on a date subsequent to the date of that census, of the district of the territorial authority or of the community or of the region; or

(b) Where the district of the territorial authority or the community or the region was not constituted on the date of the last census of population for which results have been published or has had its boundaries altered by the inclusion of additional land since the date of that census, the population of the district or the community or the region as assessed by the Government Statistician, as at the date of its constitution or the date of the boundary alteration, as the case may be.

Territorial Authorities and Community Boards

4. Maximum salaries of Chairpersons of territorial authorities—

(1) Except as provided in subclause (2) of this clause, the maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a territorial authority shall be the maximum salary applicable under Part I of the First Schedule to this determination.

(2) The maximum salary payable pursuant to Part IVc of the Act to the Mayor of the Wellington City Council shall be the maximum salary applicable under Part I of the First Schedule to this determination to the Chairperson of a territorial authority with a population exceeding 150 000.

5. Maximum salaries of Deputy Chairpersons and Chairpersons of committees of territorial authorities—(1) Except as provided in subclause (2) of this clause, the maximum salary payable pursuant to Part IVc of the Act to—

(a) The Deputy Chairperson of a territorial authority; or

(b) The Chairperson of one or more committees of a territorial authority,—

shall be the maximum salary applicable under Part II of the First Schedule to this determination.

(2) The maximum salary payable pursuant to Part IVc of the Act to the Deputy Chairperson of the Wellington City Council shall be the maximum salary applicable under Part II of the First Schedule to this determination to the Deputy Chairperson of a territorial authority with a population exceeding 150 000.

6. Maximum salaries of members of territorial authorities—The maximum salary payable pursuant to Part IVc of the Act to a member of a territorial authority shall be the maximum salary applicable under Part III of the First Schedule to this determination.

7. Maximum salaries of Chairpersons of community boards—The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a community board shall be the maximum salary applicable under Part I of the Second Schedule to this determination.

8. Maximum salaries of members of community boards—The maximum salary payable pursuant to Part IVc of the Act to a member of a community board shall be the maximum salary applicable under Part II of the Second Schedule to this determination.

9. One salary only payable—The payment by a territorial authority of the salaries referred to in section 101ZZF of the Act is subject to the condition that the territorial authority shall not pay to a person more than one of those salaries.

10. Maximum meeting allowances for members of territorial authorities—The maximum meeting allowance payable pursuant to Part IVc of the Act to each member of a territorial authority (other than its Chairperson) shall be the maximum meeting allowance applicable under Part I of the Third Schedule to this determination.

11. Conditions in relation to payment of meeting allowances to members of territorial authorities—The payment of a meeting allowance to a member of a territorial authority (other than its Chairperson) is subject to the following conditions:

- (a) The territorial authority shall pay a meeting allowance to a member of the territorial authority only in respect of a day on which the member of the territorial authority attends—
 - (i) A meeting of the territorial authority; or
 - (ii) A meeting of a committee or subcommittee of the territorial authority where the member of the territorial authority is a member of the committee or subcommittee or is required to attend the meeting in his or her capacity as a member of the territorial authority;
- (b) The territorial authority shall pay only one meeting allowance under clause 10 of this determination to a person in respect of any one day, notwithstanding that that person attends more than one meeting (being a meeting of the territorial authority or of a committee or subcommittee of the territorial authority) on that day;
- (c) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

12. Meeting allowances for Chairperson and members of community board—The maximum meeting allowance payable pursuant to Part IVc of the Act to a Chairperson or other member of a community board shall be the maximum meeting allowance applicable under Part II of the Third Schedule to this determination.

13. Conditions in relation to payment of meeting allowances to Chairperson and members of community board—The payment of a meeting allowance to a Chairperson or other member of a community board is subject to the following conditions:

- (a) The territorial authority shall pay a meeting allowance to a person who is a Chairperson or other member of a community board only in respect of each day on which the person attends—
 - (i) A meeting of the community board; or
 - (ii) A meeting of a committee or subcommittee of the community board where the person is a member of the committee or subcommittee or is required to attend the meeting in his or her capacity as a member of the community board; or
 - (iii) A meeting of the territorial authority or a committee or subcommittee of the territorial authority where the person is required to attend the meeting in his or her capacity as a member of the community board.
- (b) Where a person who is both a member of the territorial authority (other than its Chairperson) and a member of a community board attends both a meeting of the territorial authority and a meeting of the community board on the one day, the territorial authority shall pay to that person in respect of that day both a meeting allowance under clause 10 of this determination and a meeting allowance under clause 12 of this determination:
- (c) Except as provided in paragraph (b) of this clause, the territorial authority shall not pay a meeting allowance under clause 12 of this determination to a person in respect of a day if a meeting allowance in respect of that day is payable to that person by that territorial authority under clause 10 of this determination:
- (d) The territorial authority shall pay only one meeting allowance under clause 12 of this determination to a person in respect of any one day, notwithstanding that that person attends more than one meeting (being a meeting of the community board or of a committee or subcommittee of the community board) on that day:
- (e) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

Regional Councils

14. Maximum salaries of Chairpersons of regional councils—The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of a regional council shall be the maximum salary applicable under Part I of the Fourth Schedule to this determination.

15. Maximum salaries of Deputy Chairpersons and Chairpersons of committees of regional councils—The maximum salary payable pursuant to Part IVc of the Act to—

- (a) The Deputy Chairperson of a regional council; or
 - (b) The Chairperson of one or more committees of a regional council,—
- shall be the maximum salary applicable under Part II of the Fourth Schedule to this determination.

16. Maximum salaries of members of regional councils—The maximum salary payable pursuant to Part IVc of the Act to a member of a regional council shall be the maximum salary applicable under Part III of the Fourth Schedule to this determination.

17. One salary only payable—The payment by a regional council of the salaries referred to in section 101ZZF of the Act is subject to the condition that the regional council shall not pay to a person more than one of those salaries.

18. Maximum meeting allowances for members of regional councils—The maximum meeting allowance payable pursuant to Part IVc of the Act to each member of a regional council (other than its Chairperson) shall be the maximum meeting allowance applicable under Part IV of the Fourth Schedule to this determination.

19. Conditions in relation to payment of meeting allowances to members of regional councils—The payment of a meeting allowance to a member of a regional council (other than its Chairperson) is subject to the following conditions:

- (a) The regional council shall pay a meeting allowance to a member of the regional council only in respect of a day on which the member of the regional council attends—
 - (i) A meeting of the regional council; or
 - (ii) A meeting of a committee or subcommittee of the regional council where the member of the regional council is a member of the committee or subcommittee or is required to attend the meeting in his or her capacity as a member of the regional council;
- (b) The regional council shall pay only one meeting allowance to a person in respect of any one day, notwithstanding that that person attends more than one meeting (being a meeting of the regional council or of a committee or subcommittee of the regional council) on that day;
- (c) A meeting that continues past midnight otherwise than by adjournment shall be regarded as having concluded before midnight.

Gisborne District Council

20. Special provisions in relation to Gisborne District Council—

(1) The maximum salary payable pursuant to Part IVc of the Act to the Chairperson of the Gisborne District Council shall be the greater of—

- (a) The maximum salary applicable under Part I of the First Schedule to this determination; and

- (b) The maximum salary that would be applicable under Part I of the Fourth Schedule to this determination if the Gisborne District Council were a regional council.
- (2) The maximum salary payable pursuant to Part IVc of the Act to—
- (a) The Deputy Chairperson of the Gisborne District Council; or
- (b) The Chairperson of one or more committees of the Gisborne District Council,—

shall be the greater of the maximum salary applicable under Part II of the First Schedule to this determination and the maximum salary that would be applicable under Part II of the Fourth Schedule to this determination if the Gisborne District Council were a regional council.

(3) The maximum salary payable pursuant to Part IVc of the Act to a member of the Gisborne District Council shall be the greater of—

- (a) The maximum salary applicable under Part III of the First Schedule to this determination; and
- (b) The maximum salary that would be applicable under Part III of the Fourth Schedule to this determination if the Gisborne District Council were a regional council.

(4) The payment by the Gisborne District Council of the salaries referred to in section 101zzf of the Act is subject to the condition that the Gisborne District Council shall not pay to any person more than one of those salaries.

(5) The maximum meeting allowance payable pursuant to Part IVc of the Act to each member of the Gisborne District Council (other than its Chairperson) shall be the greater of—

- (a) The maximum meeting allowance applicable under Part I of the Third Schedule to this determination; and
- (b) The maximum meeting allowance that would be applicable under Part IV of the Fourth Schedule to this determination if the Gisborne District Council were a regional council.

(6) Nothing in this clause affects the application to the Gisborne District Council of clauses 11 and 12 of this determination.

(7) Clause 13 of this determination shall apply to the Gisborne District Council as if, for the expression “clause 10” in paragraph (b), there were substituted the expression “clause 20 (5)”.

General Provisions

21. Minimum salaries and minimum meeting allowances—(1) The minimum salary payable pursuant to Part IVc of the Act in respect of each of the positions referred to in clauses 4, 5, 6, 7, 8, 14, 15, 16, 20 (1), 20 (2), and 20 (3) of this determination shall be in each case an annual salary equal to 10 percent of the maximum annual salary applicable.

(2) The minimum meeting allowance payable pursuant to Part IVc of the Act to—

- (a) Each member of a territorial authority (other than its Chairperson);
or
- (b) The Chairperson or other member of a community board; or
- (c) Each member of a regional council (other than its Chairperson); or
- (d) Each member of the Gisborne District Council,—

shall be in each case a meeting allowance equal to 10 percent of the maximum meeting allowance applicable.

22. Meeting allowances for members of committees and subcommittees of territorial authorities or community boards or regional councils who are not members of the territorial authority or community board or regional council—(1) The meeting allowances payable to any person who is a member of a committee or subcommittee of a territorial authority or a community board or a regional council but who is not a member of the territorial authority or community board or regional council shall be the same as those that would be payable to that person if he or she were a member of the territorial authority or community board or regional council.

(2) Nothing in this clause limits the provisions of section 101ZZG of the Act.

Revocation

23. Revocation—The Local Government (Regional and Territorial Authorities and Community Boards Salaries and Allowances) Determination 1989* is hereby revoked.

*S.R. 1989/317

SCHEDULES

FIRST SCHEDULE

Cl. 4

PART I

Maximum annual salaries payable to Chairpersons of Territorial Authorities

Population	Maximum Annual Salary \$
Population exceeding 150 000	83,000
Population exceeding 75 000 but not exceeding 150 000	72,000
Population exceeding 50 000 but not exceeding 75 000	62,000
Population exceeding 20 000 but not exceeding 50 000	50,000
Population not exceeding 20 000	40,000

PART II

Cl. 5

*Maximum annual salaries payable to Deputy Chairpersons of Territorial
Authorities and Chairpersons of Committees of Territorial Authorities*

Population	Maximum Annual Salary \$
Population exceeding 150 000	28,000
Population exceeding 75 000 but not exceeding 150 000	24,000
Population exceeding 50 000 but not exceeding 75 000	20,000
Population exceeding 20 000 but not exceeding 50 000	15,500
Population not exceeding 20 000	10,000

PART III

Cl. 6

Maximum annual salaries payable to members of Territorial Authorities

Population	Maximum Annual Salary \$
Population exceeding 150 000	14,000
Population exceeding 75 000 but not exceeding 150 000	12,000
Population exceeding 50 000 but not exceeding 75 000	8,800
Population exceeding 20 000 but not exceeding 50 000	5,400
Population not exceeding 20 000	3,000

Cl. 7

SECOND SCHEDULE

PART I

Maximum annual salaries payable to Chairpersons of Community Boards

Population of Community	Maximum Annual Salary \$
Population exceeding 50 000	16,000
Population exceeding 20 000 but not exceeding 50 000	12,000
Population not exceeding 20 000	10,000

Cl. 8

PART II

Maximum annual salaries payable to members of Community Boards

Population of Community	Maximum Annual Salary \$
Population exceeding 50 000	8,800
Population exceeding 20 000 but not exceeding 50 000	5,400
Population not exceeding 20 000	3,000

Cl. 10

THIRD SCHEDULE

PART I

*Maximum meeting allowances payable to members (other than Chairperson) of
Territorial Authorities*

Population	Maximum Meeting Allowance \$
Population exceeding 150 000	160
Population exceeding 75 000 but not exceeding 150 000	135
Population exceeding 50 000 but not exceeding 75 000	120
Population exceeding 20 000 but not exceeding 50 000	100
Population not exceeding 20 000	85

Cl. 12

PART II

*Maximum meeting allowances payable to Chairperson and members of Community
Boards*

Population of Community	Maximum Meeting Allowance \$
Population exceeding 50 000	120
Population exceeding 20 000 but not exceeding 50 000	100
Population not exceeding 20 000	85

FOURTH SCHEDULE

PART I

Cl. 14

Maximum annual salaries payable to Chairpersons of Regional Councils

Population	Maximum Annual Salary \$
Population exceeding 300 000	83,000
Population exceeding 150 000 but not exceeding 300 000	72,000
Population exceeding 75 000 but not exceeding 150 000	62,000
Population not exceeding 75 000	50,000

PART II

Cl. 15

*Maximum annual salaries payable to Deputy Chairpersons of Regional Councils
and Chairpersons of Committees of Regional Councils*

Population	Maximum Annual Salary \$
Population exceeding 150 000	28,000
Population exceeding 75 000 but not exceeding 150 000	24,000
Population not exceeding 75 000	20,000

PART III

Cl. 16

Maximum annual salaries payable to members of Regional Councils

Population	Maximum Annual Salary \$
Population exceeding 150 000	14,000
Population exceeding 75 000 but not exceeding 150 000	12,000
Population not exceeding 75 000	8,800

PART IV

Cl. 18

*Maximum meeting allowances payable to members (other than Chairperson) of
Regional Councils*

Population	Maximum Meeting Allowance \$
Population exceeding 150 000	160
Population exceeding 75 000 but not exceeding 150 000	135
Population not exceeding 75 000	120

Dated this 6th day of July 1990.

PHILIP WOOLLASTON,
Minister of Local Government.

EXPLANATORY NOTE

This note is not part of the determination, but is intended to indicate its general effect.

This determination, which is deemed to take effect on and from 1 November 1989,—

- (a) Fixes the maximum and minimum annual salaries that may be paid to—
 - (i) Chairpersons of territorial authorities:
 - (ii) Deputy Chairpersons of territorial authorities:
 - (iii) Chairpersons of committees of territorial authorities:
 - (iv) Members of territorial authorities:
 - (v) Chairpersons of community boards:
 - (vi) Members of community boards:
 - (vii) Chairpersons of Regional Councils:
 - (viii) Deputy Chairpersons of Regional Councils:
 - (ix) Chairpersons of committees of Regional Councils:
 - (x) Members of Regional Councils:
- (b) Fixes the maximum and minimum meeting allowances payable to—
 - (i) Members (other than the Chairperson) of territorial authorities:
 - (ii) Members of community boards:
 - (iii) Members (other than the Chairperson) of Regional Councils:
- (c) Provides for the payment of meeting allowances to members of committees and subcommittees of territorial authorities or community boards or regional councils who are not members of the territorial authority or community board or regional council:
- (d) Makes special provision in relation to the Gisborne District Council.
The rates of remuneration are not altered. The only differences between this determination and the previous determination (which was made on 29 October 1989) are as follows:
 - (a) The respective maximum salaries of both the Mayor and the Deputy Chairperson of the Wellington City Council are to be those that would apply if the population of Wellington City exceeded 150 000.
 - (b) It is made clear that, for the purpose of determining entitlement to a meeting allowance, attendance at a meeting of a subcommittee is on the same basis as attendance at a meeting of a committee.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 12 July 1990.

This determination is administered in the Department of Internal Affairs.