

**Reprint
as at 30 June 2012**



**Local Government Elected
Members (2011/12) (Auckland
Council and Local Boards)
Determination 2011**

(SR 2011/242)

Local Government Elected Members (2011/12) (Auckland Council and Local Boards) Determination 2011: expired, on 30 June 2012, by clause 3.

Pursuant to clause 6 of Schedule 7 of the Local Government Act 2002 and the Remuneration Authority Act 1977, the Remuneration Authority makes the following determination (to which is appended an explanatory memorandum).

Contents

	Page
1 Title	2
2 Commencement	2
3 Expiry	2
<i>Interpretation</i>	
4 Interpretation	2
5 Meaning of resource consent hearing	4
6 Meaning of hearing time	4
<i>Auckland Council members</i>	
7 Remuneration and allowances payable to members of Auckland Council	5

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

	<i>Local board members</i>	
8	Remuneration and allowances payable to members of local boards	5
	<i>Allowances</i>	
9	Vehicle mileage allowance	6
10	Travel time allowance	6
11	Communications allowance	7
	<i>Resource consent hearing fees</i>	
12	Fees for attending resource consent hearing	7
	<i>Payment of certain expenses and allowances under 2010 Determination continued</i>	
13	Payment of certain expenses and allowances under 2010 Determination continued	8
	Schedule 1	8
	Remuneration of members of Auckland Council	
	Schedule 2	9
	Remuneration of members of local boards	

Determination

- 1 Title**
This determination is the Local Government Elected Members (2011/12) (Auckland Council and Local Boards) Determination 2011.
- 2 Commencement**
This determination is deemed to have come into force on 1 July 2011.
- 3 Expiry**
This determination expires on 30 June 2012.

Interpretation

- 4 Interpretation**
In this determination, unless the context requires another meaning,—

2010 Determination means the Local Government Elected Members (2010/11) (Auckland Council and Local Boards) Determination 2010 (as amended by the Local Government Elected Members (2010/11) (Auckland Council and Local Boards) Determination 2010 Amendment Determination 2011)

Auckland Council or **Council** means the Auckland Council established by section 6 of the Local Government (Auckland Council) Act 2009

hearing time has the meaning given by clause 6

local board means a local board established under section 10 of the Local Government (Auckland Council) Act 2009

member,—

- (a) in relation to the Auckland Council, means—
 - (i) a person who has been declared to be elected under the Local Electoral Act 2001 as the mayor of Auckland or any other member of the governing body of the Council; and
 - (ii) a person who, as the result of further election or appointment under that Act, the Local Government Act 2002, or the Local Government (Auckland Council) Act 2009, is an office holder in relation to the Council (for example, as chairperson of a committee of the Council):
- (b) in relation to a local board, means—
 - (i) a person who has been declared to be elected as a member of that local board under the Local Electoral Act 2001; and
 - (ii) a person who, as the result of further election or appointment under that Act, the Local Government Act 2002, or the Local Government (Auckland Council) Act 2009, is an office holder in relation to the board (for example, as chairperson of the board)

resource consent hearing has the meaning given by clause 5

resource consent hearing fee means a fee payable in accordance with clause 12 for attending a resource consent hearing

RMA means the Resource Management Act 1991.

5 Meaning of resource consent hearing

- (1) In this determination, **resource consent hearing** means—
- (a) a hearing arising from a resource consent application made under section 88 of the RMA; or
 - (b) a hearing arising from a notice of requirement given under section 168 of the RMA; or
 - (c) a pre-hearing meeting held under section 99 of the RMA in relation to a hearing referred to in paragraph (a) or (b); or
 - (d) a hearing relating to a private change to a district or regional plan or policy statement requested under clause 21 of Schedule 1 of the RMA; or
 - (e) a mediation hearing in the Environment Court as part of an appeal from a decision of the Council; or
 - (f) a hearing on an objection against a charge fixed by the Council under section 36 of the RMA.
- (2) In this determination, **resource consent hearing** does not include—
- (a) a hearing of submissions as part of the process of the preparation of a district or regional plan or policy statement; or
 - (b) a hearing relating to a change or variation to a district or regional plan or policy statement requested by the Council or a local board; or
 - (c) a hearing relating to a notice of requirement initiated by the Council or a local board; or
 - (d) any other hearing not specified in subclause (1).

6 Meaning of hearing time

- (1) In this determination, **hearing time**—
- (a) means the time spent by a member hearing a matter referred to in clause 5(1); and
 - (b) includes the time spent by a member—
 - (i) at any formal committee deliberations in relation to a resource consent hearing; and
 - (ii) at a formal site inspection as part of a group inspection or as part of a pre-hearing meeting described in clause 5(1)(c); and

- (iii) determining a notified resource consent application where a formal hearing does not take place.
- (2) In this determination, **hearing time** does not include the time spent by a member—
 - (a) preparing for a resource consent hearing; or
 - (b) inspecting a site, except where subclause (1)(b)(ii) applies.

Auckland Council members

7 Remuneration and allowances payable to members of Auckland Council

- (1) The remuneration and allowances payable to the members of the Auckland Council are—
 - (a) the remuneration set out in Schedule 1; and
 - (b) the allowances payable in accordance with clauses 9 to 11; and
 - (c) the resource consent hearing fees payable in accordance with clause 12; and
 - (d) to members other than the mayor, the deputy mayor, and members who are chairpersons of committees of the whole, an establishment allowance of \$7,140.
- (2) A member of the Auckland Council is not entitled to be paid a meeting fee other than a resource consent hearing fee.
- (3) Despite subclause (2), the mayor of Auckland is not entitled to be paid a resource consent hearing fee.

Local board members

8 Remuneration and allowances payable to members of local boards

- (1) The remuneration and allowances payable to the members of local boards are—
 - (a) the remuneration set out in Schedule 2; and
 - (b) the allowances payable in accordance with clauses 9 to 11; and
 - (c) the resource consent hearing fees payable in accordance with clause 12.
- (2) A member of a local board is not entitled to be paid a meeting fee other than a resource consent hearing fee.

*Allowances***9 Vehicle mileage allowance**

- (1) The Auckland Council may pay a member or a member of a local board a vehicle mileage allowance for travel by the member on a day, but only if—
 - (a) the member is not otherwise provided with a vehicle by the Council; and
 - (b) the distance travelled by the member on the day exceeds the threshold distance; and
 - (c) the travel is—
 - (i) in a private vehicle; and
 - (ii) on the Council's business; and
 - (iii) by the most direct route that is reasonable in the circumstances.
- (2) The vehicle mileage allowance payable to a member in respect of a day is payable only for that part of the member's travel that exceeds the threshold distance.
- (3) The maximum vehicle mileage allowance payable to a member for the period of this determination is—
 - (a) \$0.74 per kilometre for the first 5 000 kilometres;
 - (b) \$0.35 per kilometre for any distance over 5 000 kilometres.
- (4) In this clause,—

on the Council's business includes—

 - (a) on the business of any local board; and
 - (b) travel to and from a member's residence to the offices of the Auckland Council or a local board

threshold distance means the distance set by the Auckland Council, which must not be less than 30 kilometres.

10 Travel time allowance

- (1) The Auckland Council may pay a member or a member of a local board a travel time allowance for travel by the member on a day, but only if—
 - (a) the travel time of the member on the day exceeds the threshold time; and
 - (b) the travel is on the Council's business; and

- (c) the travel is by the quickest form of transport reasonable in the circumstances; and
 - (d) the office of the member cannot be properly regarded as a full-time position.
- (2) The travel time allowance payable to a member in respect of a day is payable only for that part of the member's travel that exceeds the threshold time.
- (3) The maximum amount payable is \$15 per hour.
- (4) In this clause,—
- on the Council's business** includes—
- (a) on the business of any local board; and
 - (b) travel to and from a member's residence to the offices of the Auckland Council or a local board
- threshold time** means the time set by the Auckland Council, which must not be less than 2 hours.

11 Communications allowance

- (1) The Auckland Council may pay a communications allowance to members and members of its local boards for expenses relating to 1 or more of the following:
- (a) a mobile telephone;
 - (b) a computer or ancillary equipment;
 - (c) an Internet connection.
- (2) The maximum amount of the allowance is \$750 for each member for the period of this determination.
- (3) However, the allowance is not payable to a member to the extent that the Council provides him or her with—
- (a) the use of a mobile telephone; or
 - (b) the use of a computer and ancillary equipment; or
 - (c) an Internet connection.

Resource consent hearing fees

12 Fees for attending resource consent hearing

- (1) A member of the Auckland Council or one of its local boards who acts as the chairperson of a resource consent hearing is entitled to be paid a fee of \$100 per hour of hearing time.

- (2) A member of the Auckland Council or one of its local boards who is not the chairperson of a resource consent hearing is entitled to be paid a fee of \$80 per hour of hearing time.
- (3) For any period of hearing time that is less than 1 hour, the fee must be apportioned accordingly.
- (4) Despite subclauses (1) and (2), a resource consent hearing fee for a pre-hearing meeting held under section 99 of the RMA is payable to only 1 member.
- (5) Despite subclauses (1) and (2), resource consent hearing fees are not payable to the mayor or the chairperson of a local board.

*Payment of certain expenses and allowances
under 2010 Determination continued*

**13 Payment of certain expenses and allowances under 2010
Determination continued**

- (1) This determination does not supersede clauses 9 and 13 of the 2010 Determination.
- (2) Therefore, in accordance with section 19(3) of the Remuneration Authority Act 1977, the Auckland Council may also reimburse a member or a member of a local board for expenses, or pay a member or a member of a local board allowances (other than allowances determined in clauses 9 to 11 of this determination) under those clauses.

Schedule 1
**Remuneration of members of Auckland
Council**

cl 7(1)(a)

Office	Annual salary (\$)
Mayor of Auckland	243,600
Deputy Mayor of Auckland	122,400
Chair of committees of the whole (3)	97,920
Councillor (16)	81,600

Schedule 2 cl 8(1)(a)
Remuneration of members of local boards
Albert–Eden Local Board

Office	Annual salary (\$)
Chairperson	71,400
Deputy Chairperson	53,244
Member	36,924

Devonport–Takapuna Local Board

Office	Annual salary (\$)
Chairperson	58,956
Deputy Chairperson	47,736
Member	35,496

Franklin Local Board

Office	Annual salary (\$)
Chairperson	59,262
Deputy Chairperson	52,632
Member	34,272

Great Barrier Local Board

Office	Annual salary (\$)
Chairperson	39,678
Deputy Chairperson	30,702
Member	20,502

Henderson–Massey Local Board

Office	Annual salary (\$)
Chairperson	74,970
Deputy Chairperson	53,958
Member	37,638

Hibiscus and Bays Local Board

Office	Annual salary (\$)
Chairperson	68,034
Deputy Chairperson	52,632
Member	36,312

Howick Local Board

Office	Annual salary (\$)
Chairperson	79,968
Deputy Chairperson	56,202
Member	37,842

Kaipatiki Local Board

Office	Annual salary (\$)
Chairperson	67,014
Deputy Chairperson	52,428
Member	36,108

Mangere–Otahuhu Local Board

Office	Annual salary (\$)
Chairperson	64,464
Deputy Chairperson	50,388
Member	36,108

Manurewa Local Board

Office	Annual salary (\$)
Chairperson	67,218
Deputy Chairperson	52,428
Member	36,108

Maungakiekie–Tamaki Local Board

Office	Annual salary (\$)
Chairperson	63,546

Reprinted as at
30 June 2012

**Local Government Elected Members
(2011/12) (Auckland Council and Local
Boards) Determination 2011**

Schedule 2

Deputy Chairperson	50,184
Member	35,904

Orakei Local Board

Office	Annual salary (\$)
Chairperson	66,300
Deputy Chairperson	50,796
Member	36,516

Otara–Papatoetoe Local Board

Office	Annual salary (\$)
Chairperson	65,994
Deputy Chairperson	50,694
Member	36,414

Papakura Local Board

Office	Annual salary (\$)
Chairperson	54,468
Deputy Chairperson	46,614
Member	34,374

Puketapapa Local Board

Office	Annual salary (\$)
Chairperson	58,548
Deputy Chairperson	47,634
Member	35,394

Rodney Local Board

Office	Annual salary (\$)
Chairperson	55,896
Deputy Chairperson	52,020
Member	33,660

Upper Harbour Local Board

Office	Annual salary (\$)
Chairperson	55,998
Deputy Chairperson	47,022
Member	34,782

Waiheke Local Board

Office	Annual salary (\$)
Chairperson	41,310
Deputy Chairperson	31,416
Member	21,216

Waitakere Ranges Local Board

Office	Annual salary (\$)
Chairperson	55,998
Deputy Chairperson	47,022
Member	34,782

Waitemata Local Board

Office	Annual salary (\$)
Chairperson	62,526
Deputy Chairperson	49,980
Member	35,700

Whau Local Board

Office	Annual salary (\$)
Chairperson	64,770
Deputy Chairperson	50,490
Member	36,210

Dated at Wellington this 5th day of July 2011.

Reprinted as at
30 June 2012

**Local Government Elected Members
(2011/12) (Auckland Council and Local
Boards) Determination 2011**

Schedule 2

John Errington,
Chairman.

A Foulkes,
Member.

D Morcom,
Member.

Explanatory memorandum

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

The local government structures for Auckland came into existence on 1 November 2010, representing a new approach to the representation of Aucklanders that was unlike that in place in the rest of New Zealand. Accountability under the new structure anticipated negotiation and agreement between the newly elected parties on the manner of future representation. However, those standing for election required some certainty on the remuneration they could expect to receive if elected.

In June 2010, the Remuneration Authority (the **Authority**) issued an initial determination for the mayor, councillors, and local board members, including board chairpersons. In that determination, the Authority indicated that after the election there would be an engagement with the incoming elected representatives on the allocation of some additional funds to recognise the structural framework put in place by the Auckland Council and its local boards after the election. This was undertaken and an amending determination was issued, backdated to 1 November 2010, reflecting the Authority's views on the feedback received (*see* the Local Government Elected Members (2010/11) (Auckland Council and Local Boards) Determination 2010, which includes the amendments made by the Local Government Elected Members (2010/11) (Auckland Council and Local Boards) Determination 2010 Amendment Determination 2011).

In its initial determination, the Authority indicated it would make a modest adjustment to remuneration from 1 July 2011, and would undertake a full review of workload and accountabilities of Auckland local body members towards the end of 2011 with the aim of confirming or amending the remuneration model based on the practice that was emerging in the new council. Any recommendations for change would then be included in the 2012/2013 determination, at which stage the establishment allowance payable to some councillors would cease. This remains the intention of the Authority.

This determination, which covers the period 1 July 2011 to 30 June 2012, therefore increases the annual remuneration and establishment allowance available to members by 2% and the mayoral remuneration by 1.5%. This mirrors the base movement applied to the rest of local government.

Additionally, and also in line with the approach taken elsewhere, the determination adjusts the maximum mileage rate payable from \$0.70 to \$0.74 per kilometre to compensate for increases in petrol costs that have occurred recently.

The determination also includes the full-year allowance of \$750 payable to members who utilise their home communications systems for council business, this allowance having previously been set for an 8-month period at \$500.

Finally, the determination provides an increase to the maximum hourly rates payable to members sitting on resource consent hearings. These rates were last reviewed in 2006, and the Authority has increased the maximum hourly rate to \$100 to those chairing a hearing and \$80 to those sitting on a hearing.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 7 July 2011.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Local Government Elected Members (2011/12) (Auckland Council and Local Boards) Determination 2011. The reprint incorporates all the amendments to the determination as at 30 June 2012, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not

included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Local Government Elected Members (2011/12) (Auckland Council and Local Boards) Determination 2011 (SR 2011/242): clause 3
