

Reprint
as at 30 July 2015



Local Government Elected Members (2014/15) (Auckland Council and Local Boards) Determination 2014

(LI 2014/143)

Local Government Elected Members (2014/15) (Auckland Council and Local Boards) Determination 2014: revoked (with effect on 1 July 2015 and after expiring on that date), on 30 July 2015, by clause 17(a) of the Local Government Elected Members (2015/16) (Auckland Council and Local Boards) Determination 2015 (LI 2015/184).

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	3
6 Meaning of hearing time	3
<i>Auckland Council members</i>	
7 Remuneration and allowances payable to members of Auckland Council	4
<i>Local board members</i>	
8 Remuneration and allowances payable to members of local boards	4
<i>Allowances</i>	
9 Vehicle mileage allowance	5
10 Travel time allowance	6
11 Communications allowance	6

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint. Note 4 at the end of this reprint provides a list of the amendments incorporated.

	<i>Resource consent hearing fees</i>	
12	Fees for attending resource consent hearing	7
	<i>Revocation</i>	
13	Revocation	8
	Schedule 1	8
	Remuneration of members of Auckland Council	
	Schedule 2	8
	Remuneration of members of local boards	

Determination

1 Title

This determination is the Local Government Elected Members (2014/15) (Auckland Council and Local Boards) Determination 2014.

2 Commencement

This determination comes into force on 1 July 2014.

3 Expiry

This determination expires on the close of 30 June 2015.

Interpretation

4 Interpretation

In this determination, unless the context otherwise requires,—

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 as any other member of the governing body of the Auckland 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 Auckland 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 request for a 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 Auckland 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 in 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) in determining a notified resource consent application where a formal hearing does not take place.
- (2) In this determination, **hearing time**—
 - (a) also includes the time spent by a member—
 - (i) preparing for a resource consent hearing; or
 - (ii) inspecting a site, not being a formal site inspection under subclause (1)(b)(ii); but
 - (b) does not include the time referred to in paragraph (a) to the extent that it exceeds the time spent by the member on the formal deliberations referred to in subclause (1)(b)(i).

Auckland Council members

7 Remuneration and allowances payable to members of Auckland Council

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.

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.
- (3) Despite subclause (2), the chairperson of a local board is not entitled to be paid 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.
- (2) An allowance may be paid to a member under subclause (1) for each day within the period of this determination that—
 - (a) the member is not 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 member is travelling—
 - (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.
- (3) The allowance is payable, in relation to each day for which the member qualifies under subclause (2),—
 - (a) in accordance with subclause (4); but
 - (b) only for the distance travelled on the day that exceeds the threshold distance.
- (4) The vehicle mileage allowance payable to a member is—
 - (a) no more than \$0.77 per kilometre for the first 5 000 kilometres travelled within the period of this determination for which the allowance is payable;
 - (b) no more than \$0.37 per kilometre for any distance over 5 000 kilometres travelled within the period of this determination for which the allowance is payable.
- (5) If a member is not a member for the whole of the period of this determination, subclause (4) applies as if the reference to 5 000 kilometres were replaced by a reference to the number of kilometres calculated in accordance with the following formula:

$$\frac{a}{b} \times 5\,000$$

where—

- a is the number of days during the period of this determination that the member held office
 - b is the number of days in the period of this determination.
- (6) 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 an office of the Auckland Council or a local board

threshold distance means the shorter of the following distances:

- (a) the distance equivalent to a round trip between the member's residence and the nearest office of the Auckland Council by the most direct route that is reasonable in the circumstances; and
- (b) 30 kilometres, if the distance equivalent to a round trip between the member's residence and the nearest office of the Auckland Council is greater than 30 kilometres by the most direct route that is reasonable in the circumstances.

10 Travel time allowance

- (1) The Auckland Council may pay a member of a local board a travel time allowance if the office of the member cannot be properly regarded as a full-time position.
- (2) An allowance may be paid to a member under subclause (1) for each day within the period of this determination that—
 - (a) the member is travelling—
 - (i) on the Council's business; and
 - (ii) by the quickest form of transport that is reasonable in the circumstances; and
 - (b) the travel time of the member exceeds 1 hour.
- (3) The allowance is payable, in relation to each day for which the member qualifies under subclause (2),—
 - (a) at no more than \$35 per hour; but
 - (b) only in respect of the travel for that day that exceeds 1 hour.
- (4) In this clause, **on the Council's business** includes—
 - (a) on the business of any local board; and
 - (b) travel between a member's residence and an office of the Auckland Council or a local board.

11 Communications allowance

- (1) If the Auckland Council determines that particular communications equipment and services are required by members of the Council or members of a local board to perform their functions and members choose or are required to use their own equipment and communication services, the Council may pay an allowance for the period of this determination in accordance with this clause.
- (2) The amounts and matters in respect of which the allowance is payable are as follows:

- (a) for the use of a personal computer, \$150:
 - (b) for the use of an electronic tablet, \$150:
 - (c) for the use of a printer (with or without a scanner), \$40:
 - (d) for use of a mobile phone, \$60:
 - (e) for an Internet connection (with or without a telephone connection), \$250:
 - (f) for council-related toll and mobile phone charges, \$400.
- (3) The total amount payable to a member under subclause (2) must not exceed \$1,050.
- (4) If the member is not a member for the whole of the period of this determination, subclause (2) applies as if the reference to an amount were replaced by a reference to an amount calculated in accordance with the following formula:

$$\frac{a}{b} \times c$$

where—

- a is the number of days during the period of this determination that the member held office
 - b is the number of days in the period of this determination
 - c is the relevant amount specified in subclause (2).
- (5) The Remuneration Authority may approve rules proposed by the Auckland Council to meet the costs of installing and running special equipment or connections where, because of distance or restricted access, normal communications connections are not available.

Resource consent hearing fees

12 Fees for attending resource consent hearing

- (1) A member of a local board 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 a local board 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 chairperson of a local board.

Revocation

13 Revocation

The Local Government Elected Members (2013/14) (Auckland Council and Local Boards) Determination 2013 (SR 2013/389) is revoked.

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

	cl 7(a)
Office	Annual salary (\$)
Mayor of Auckland	259,500
Deputy Mayor of Auckland	146,200
Chair of committee of the whole (3)	120,700
Councillor (16)	101,900
Mayoral car	
Full private use	

**Schedule 2
Remuneration of members of local boards**

cl 8(1)(a)

Albert–Eden Local Board

Office	Annual salary (\$)
Chairperson	83,200
Member	40,400

Devonport–Takapuna Local Board

Office	Annual salary (\$)
Chairperson	73,000
Member	39,200

Franklin Local Board

Office	Annual salary (\$)
Chairperson	73,400
Member	38,300

Great Barrier Local Board

Office	Annual salary (\$)
Chairperson	50,800
Member	22,200

Henderson–Massey Local Board

Office	Annual salary (\$)
Chairperson	86,600
Member	41,100

Hibiscus and Bays Local Board

Office	Annual salary (\$)
Chairperson	80,500
Member	40,000

Howick Local Board

Office	Annual salary (\$)
Chairperson	90,700
Member	41,300

Kaipatiki Local Board

Office	Annual salary (\$)
Chairperson	79,700
Member	39,800

Mangere–Otahuhu Local Board

Office	Annual salary (\$)
Chairperson	77,900
Member	39,900

Manurewa Local Board

Office	Annual salary (\$)
Chairperson	80,200
Member	39,900

Maungakiekie–Tamaki Local Board

Office	Annual salary (\$)
Chairperson	77,000
Member	39,600

Orakei Local Board

Office	Annual salary (\$)
Chairperson	79,300
Member	40,100

Otara–Papatoetoe Local Board

Office	Annual salary (\$)
Chairperson	79,000
Member	40,100

Papakura Local Board

Office	Annual salary (\$)
Chairperson	69,600
Member	38,500

Puketapapa Local Board

Office	Annual salary (\$)
Chairperson	72,800
Member	39,200

Rodney Local Board

Office	Annual salary (\$)
Chairperson	70,700
Member	37,800

Upper Harbour Local Board

Office	Annual salary (\$)
Chairperson	70,900
Member	38,800

Waiheke Local Board

Office	Annual salary (\$)
Chairperson	55,700
Member	23,400

Waitakere Ranges Local Board

Office	Annual salary (\$)
Chairperson	70,700
Member	38,700

Waitemata Local Board

Office	Annual salary (\$)
Chairperson	75,900
Member	39,400

Whau Local Board

Office	Annual salary (\$)
Chairperson	77,900
Member	39,900

Dated at Wellington this 30th day of April 2014.

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.

This determination, which comes into force on 1 July 2014 and expires on 30 June 2015, establishes remuneration for elected members of the governing body and local boards of the Auckland Council using the same mechanism as the 2013 determination. The remuneration is tied to the size of the job being performed and an indicative number of hours worked. As noted in the 2013 determination, adjustments to remuneration that flowed from the Authority's 2013 review have not been fully implemented due to significant additional costs to ratepayers that a full implementation would have entailed.

Remuneration increases reflect the movement in remuneration in other public sector positions determined by the Authority, which are in turn influenced by public sector wage movements more generally. Remuneration for members of the governing body is increased in the region of 3.3% whilst remuneration for local board members is increased in the region of 2.9%. These rates reflect the larger remuneration movements at higher levels of the public sector and more generally.

Reprints notes

1 *General*

This is a reprint of the Local Government Elected Members (2014/15) (Auckland Council and Local Boards) Determination 2014 that incorporates all the amendments to that determination as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Local Government Elected Members (2015/16) (Auckland Council and Local Boards) Determination 2015 (LI 2015/184): clause 17(a)

Local Government Elected Members (2014/15) (Auckland Council and Local Boards) Determination 2014 (LI 2014/143): clause 3