

Reprint  
as at 27 July 2017



**Local Government Members (2016/17) (Canterbury  
Regional Council) Determination 2016**  
(LI 2016/159)

Local Government Members (2016/17) (Canterbury Regional Council) Determination 2016: revoked (with effect on 1 July 2017), on 27 July 2017 (after expiring on the close of 30 June 2017), by clause 15(c) of the Local Government Members (2017/18) (Local Authorities) Determination 2017 (LI 2017/167).

Pursuant to clause 6 of Schedule 7 of the Local Government Act 2002, section 19 of the Environment Canterbury (Transitional Governance Arrangements) Act 2016, and the Remuneration Authority Act 1977, the Remuneration Authority, after having regard to the matters specified in clause 7 of Schedule 7 of the Local Government Act 2002, makes the following determination (to which is appended an explanatory memorandum).

**Contents**

	Page
1 Title	2
2 Commencement	2
3 Expiry	2
3A Application	2
<i>Interpretation</i>	
4 Interpretation	2
5 Meaning of ATA resource consent hearing	3
6 Meaning of ATA panel hearing time	4
7 Meaning of RMA resource consent hearing	4
8 Meaning of RMA hearing time	5
<i>Canterbury Regional Council members</i>	
9 Remuneration and allowances payable to members of Canterbury Regional Council	5

---

**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>Allowances</i>		
10	Vehicle mileage allowance	6
10A	Travel time allowance	7
11	Communications allowance	7
<i>Resource consent hearing fees</i>		
12	Fees for attending ATA resource consent hearing	8
13	Fees for attending RMA resource consent hearing	8
<i>Miscellaneous matters</i>		
14	Application of certain allowances if determination continues after expiry	9
<b>Schedule</b>		9
<b>Remuneration of members of Canterbury Regional Council</b>		

## Determination

### 1 Title

This determination is the Local Government Members (2016/17) (Canterbury Regional Council) Determination 2016.

### 2 Commencement

This determination comes into force on 18 October 2016.

Clause 2: amended (with effect on 18 October 2016), on 30 March 2017, by clause 4 of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination (No 2) 2017 (LI 2017/57).

### 3 Expiry

This determination expires on the close of 30 June 2017.

### 3A Application

This determination applies to—

- (a) appointed members of the Canterbury Regional Council from 18 October 2016; and
- (b) elected members of the Canterbury Regional Council from 19 October 2016.

Clause 3A: inserted (with effect on 18 October 2016), on 30 March 2017, by clause 5 of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination (No 2) 2017 (LI 2017/57).

## *Interpretation*

### 4 Interpretation

In this determination, unless the context otherwise requires,—

**ATA panel** means a panel appointed by the Canterbury Regional Council under section 89 of HASHA

**ATA panel hearing time** has the meaning given by clause 6

**ATA resource consent hearing** has the meaning given by clause 5

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

**HASHA** means the Housing Accords and Special Housing Areas Act 2013

**member**, in relation to the Canterbury Regional Council, means—

- (a) a person who has been elected to membership of the transitional governing body under the Local Electoral Act 2001 (as modified by section 11 of the Environment Canterbury (Transitional Governance Arrangements) Act 2016); and
- (b) a person who has been appointed to membership of the transitional governing body under the Local Electoral Act 2001 (as modified by section 11 of the Environment Canterbury (Transitional Governance Arrangements) Act 2016); and
- (c) a person who, as the result of further election or appointment under the Local Electoral Act 2001 (as modified by section 11 of the Environment Canterbury (Transitional Governance Arrangements) Act 2016), is an office holder in relation to the Canterbury Regional Council (for example, as chairperson of a committee of the territorial authority)

**RMA** means the Resource Management Act 1991

**RMA hearing time** has the meaning given by clause 8

**RMA resource consent hearing** has the meaning given by clause 7

**RMA resource consent hearing fee** means a fee payable in accordance with clause 13 for attending an RMA resource consent hearing.

## **5 Meaning of ATA resource consent hearing**

- (1) In this determination, **ATA resource consent hearing** means a hearing that—
  - (a) is held by an ATA panel; and
  - (b) arises from—
    - (i) an application for a resource consent under subpart 2 of Part 2 of HASHA;
    - (ii) a request for a plan change or for a variation to a proposed plan under subpart 3 of Part 2 of HASHA.
- (2) To avoid doubt, in this determination, **ATA resource consent hearing** does not include—
  - (a) a hearing of submissions as part of the process of the preparation of the district or regional plan; or

- (b) a hearing relating to a change or variation in a district or regional plan requested by the Canterbury Regional Council or the local board; or
- (c) any other hearing not specified in subclause (1).

## **6 Meaning of ATA panel hearing time**

- (1) In this determination, **ATA panel 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 ATA panel deliberations in relation to an ATA resource consent hearing; and
    - (ii) at a formal site inspection as part of a group inspection; and
    - (iii) in determining a notified ATA resource consent application where a formal hearing does not take place.
- (2) In this determination, **ATA panel hearing time**—
  - (a) also includes the time spent by a member—
    - (i) preparing for an ATA 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 aggregate of the time spent by the member—
    - (i) hearing a matter referred to in clause 5(1); and
    - (ii) on the formal deliberations referred to in subclause (1)(b)(i).

## **7 Meaning of RMA resource consent hearing**

- (1) In this determination, **RMA 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 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 Canterbury Regional Council; or
  - (f) a hearing on an objection against a charge fixed by the Council under section 36 of the RMA.

- (2) To avoid doubt, in this determination, **RMA resource consent hearing** does not include—
- (a) a hearing of submissions as part of the process of 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 the local board; or
  - (c) a hearing relating to a notice of requirement initiated by the Canterbury Regional Council or the local board; or
  - (d) any other hearing not specified in subclause (1).

## **8 Meaning of RMA hearing time**

- (1) In this determination, **RMA hearing time**—
- (a) means the time spent by a member hearing a matter referred to in clause 7(1); and
  - (b) includes the time spent by a member—
    - (i) at any formal committee deliberations in relation to an RMA 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 7(1)(c); and
    - (iii) in determining a notified resource consent application where a formal hearing does not take place.
- (2) In this determination, **RMA hearing time**—
- (a) also includes the time spent by a member—
    - (i) preparing for an RMA 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 aggregate of the time spent by the member—
    - (i) hearing a matter referred to in clause 7(1); and
    - (ii) on the formal deliberations referred to in subclause (1)(b)(i).

### *Canterbury Regional Council members*

## **9 Remuneration and allowances payable to members of Canterbury Regional Council**

The remuneration and allowances payable to the members of the Canterbury Regional Council are—

- (a) the remuneration set out in the Schedule; and
- (b) the allowances payable in accordance with clauses 10 and 11; and

- (c) the RMA resource consent hearing fees payable in accordance with clause 13.

### *Allowances*

#### **10 Vehicle mileage allowance**

- (1) The Canterbury Regional Council may pay a member of the Council a vehicle mileage allowance for travel by the member on the Council's business.
- (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 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) if the travel is between the member's residence and the nearest office of the Canterbury Regional Council, the allowance is payable only for the distance travelled on that day that exceeds the threshold distance.
- (4) The allowance payable to a member is—
- (a) \$0.74 per kilometre for the first 5 000 kilometres travelled within the period of this determination for which the allowance is payable;
- (b) \$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 each reference to 5 000 kilometres were replaced by a reference to the number of kilometres calculated in accordance with the following formula:

$$(a \div b) \times 5\,000$$

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 travel between a member's residence and an office of the Canterbury Regional Council

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

#### **10A Travel time allowance**

- (1) The Canterbury Regional Council may pay a member 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 \$37.50 per hour; but
  - (b) only in respect of the travel time for that day that exceeds 1 hour.
- (4) In this clause, **on the Council's business** includes travel between a member's residence and an office of the Canterbury Regional Council.

Clause 10A: inserted (with effect on 18 October 2016), on 30 March 2017, by clause 6 of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination (No 2) 2017 (LI 2017/57).

#### **11 Communications allowance**

- (1) If the Canterbury Regional Council determines that particular communications equipment and services are required by members 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 the 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, subclauses (2) and (3) apply as if each reference to an amount were replaced by a reference to an amount calculated in accordance with the following formula:
- $$(a \div b) \times c$$
- 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) or (3).
- (5) The Remuneration Authority may approve rules proposed by the Canterbury Regional 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 ATA resource consent hearing**

- (1) A member who acts as the chairperson of an ATA resource consent hearing is entitled to be paid a fee of \$100 per hour of ATA panel hearing time.
- (2) A member who is not the chairperson of an ATA resource consent hearing is entitled to be paid a fee of \$80 per hour of ATA panel hearing time.
- (3) For any period of ATA panel hearing time that is less than 1 hour, the fee must be apportioned accordingly.
- (4) Despite subclauses (1) and (2), ATA resource consent hearing fees are not payable to—
  - (a) the Chairperson of the Canterbury Regional Council; or
  - (b) members who are undertaking full-time duties.

#### **13 Fees for attending RMA resource consent hearing**

- (1) A member who acts as the chairperson of an RMA resource consent hearing is entitled to be paid a fee of \$100 per hour of RMA hearing time.
- (2) A member who is not the chairperson of an RMA resource consent hearing is entitled to be paid a fee of \$80 per hour of RMA hearing time.



- (3) For any period of RMA hearing time that is less than 1 hour, the fee must be apportioned accordingly.
- (4) Despite subclauses (1) and (2), an RMA 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), RMA resource consent hearing fees are not payable to—
  - (a) the Chairperson of the Canterbury Regional Council; or
  - (b) members who are undertaking full-time duties.

*Miscellaneous matters*

**14 Application of certain allowances if determination continues after expiry**

- (1) This clause applies if this determination continues in force after its expiry under clause 7A(4) of Schedule 7 of the Local Government Act 2002.
- (2) Clauses 10(4) and (5) and 11(1) to (4) apply as if this determination—
  - (a) had come into force on the day after its expiry; and
  - (b) were to expire on 30 June 2018.

**Schedule**

**Remuneration of members of Canterbury Regional Council**

<b>Office</b>	<b>Annual salary (\$)</b>
Chairperson	159,718
Deputy Chairperson	89,437
Chairperson, Audit and Risk Committee	79,855
Chairperson, Regulation Hearing Committee	77,000
Canterbury Water Management Strategy Zone Committee Member (9)	71,884
Councillor	63,884
<b>Chairperson car</b>	
Full private use	

Schedule: amended (with effect on 17 November 2016), on 30 March 2017, by clause 7 of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination (No 2) 2017 (LI 2017/57).

Schedule: amended (with effect on 8 December 2016), on 2 March 2017, by clause 4(a) of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017 (LI 2017/40).

Schedule: amended (with effect on 17 November 2016), on 2 March 2017, by clause 4(b) of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017 (LI 2017/40).

Schedule: amended (with effect on 17 November 2016), on 2 March 2017, by clause 4(c)(i) of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017 (LI 2017/40).

Schedule: amended (with effect on 17 November 2016), on 2 March 2017, by clause 4(c)(ii) of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017 (LI 2017/40).

Schedule: amended (with effect on 8 December 2016), on 2 March 2017, by clause 4(d) of the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017 (LI 2017/40).

Dated at Wellington this 29th day of June 2016.

Fran Wilde,  
Chairperson.

Angela Foulkes,  
Member.

Geoff Summers,  
Member.

### **Explanatory memorandum**

**Note: The following explanatory memorandum should be read in conjunction with the explanatory memorandum(s) appended to the:**

- **Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination (No 2) 2017**
- **Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017**

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

The Environment Canterbury (Transitional Governance Arrangements) Act 2016 requires the Remuneration Authority to issue a determination by 15 July 2016 establishing the remuneration applicable to the Chairperson and other members of the Canterbury Regional Council who will be elected and appointed to take up their duties from 9 October 2016.

The remuneration has been established on the same basis as the remuneration payable to all other regional councils and applies similarly to elected and appointed members.

The remuneration for the Deputy Chairperson and Committee Chairpersons has been set in accordance with the empowering legislation. However, it may be reviewed after the election when the incoming council has had the opportunity to consider its structure.

**Note: The preceding explanatory note memorandum should be read in conjunction with the explanatory memorandum(s) appended to the:**

- **Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination (No 2) 2017**
- **Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017**

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 30 June 2016.

## Reprints notes

### 1 *General*

This is a reprint of the Local Government Members (2016/17) (Canterbury Regional Council) Determination 2016 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 Members (2017/18) (Local Authorities) Determination 2017 (LI 2017/167): clause 15(c)

Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination (No 2) 2017 (LI 2017/57)

Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017 (LI 2017/40) (as amended by the Local Government Members (2016/17) (Canterbury Regional Council) Amendment Determination 2017 Amendment Determination 2017 (LI 2017/58))

Local Government Members (2016/17) (Canterbury Regional Council) Determination 2016 (LI 2016/159): clause 3