

**Reprint
as at 13 October 2013**



**Local Government Elected
Members (2012/13) (Auckland
Council and Local Boards)
Determination 2012**

(SR 2012/218)

Local Government Elected Members (2012/13) (Auckland Council and Local Boards) Determination 2012: revoked, on 13 October 2013 (after expiring on 1 July 2013), by clause 14 of the Local Government Elected Members (2013/14) (Auckland Council and Local Boards) Determination 2013 (SR 2013/389).

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).

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

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Determination

- 1 Title**
This determination is the Local Government Elected Members (2012/13) (Auckland Council and Local Boards) Determination 2012.
- 2 Commencement**
This determination is deemed to have come into force on 1 July 2012.
- 3 Expiry**
This determination expires on the close of 30 June 2013.

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 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 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) 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 \$7,250.
- (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.
- (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) taking 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 \$0.74 per kilometre for the first 5 000 kilometres for which the allowance is payable;
 - (b) no more than \$0.35 per kilometre for any distance over 5 000 kilometres for which the allowance is payable.
- (5) 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 or 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 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 \$15 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) 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 1 or more of the following:
 - (a) the use of a mobile telephone:
 - (b) the use of a computer or ancillary equipment:
 - (c) an Internet connection.

Resource consent hearing fees

12 Fees for attending resource consent hearing

- (1) A member of the Auckland Council or of 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 of 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.

cl 7(1)(a)

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

Office	Annual salary (\$)
Mayor of Auckland	247,300
Deputy Mayor of Auckland	124,200
Chair of committee of the whole (3)	99,400
Councillor (16)	82,800

cl 8(1)(a)

Schedule 2
Remuneration of members of local boards
Albert–Eden Local Board

Office	Annual salary (\$)
Chairperson	73,100
Deputy Chairperson	54,000
Member	37,600

Devonport–Takapuna Local Board

Office	Annual salary (\$)
Chairperson	60,300
Deputy Chairperson	48,400
Member	36,100

Franklin Local Board

Office	Annual salary (\$)
Chairperson	60,700
Deputy Chairperson	53,400
Member	34,900

Great Barrier Local Board

Office	Annual salary (\$)
Chairperson	40,200

Office	Annual salary (\$)
Deputy Chairperson	31,200
Member	20,800

Henderson–Massey Local Board

Office	Annual salary (\$)
Chairperson	77,500
Deputy Chairperson	54,800
Member	38,400

Hibiscus and Bays Local Board

Office	Annual salary (\$)
Chairperson	69,800
Deputy Chairperson	53,400
Member	37,000

Howick Local Board

Office	Annual salary (\$)
Chairperson	82,700
Deputy Chairperson	57,000
Member	38,700

Kaipatiki Local Board

Office	Annual salary (\$)
Chairperson	68,700
Deputy Chairperson	53,200
Member	36,800

Mangere–Otahuhu Local Board

Office	Annual salary (\$)
Chairperson	66,400
Deputy Chairperson	51,100
Member	36,900

Manurewa Local Board

Office	Annual salary (\$)
Chairperson	69,400
Deputy Chairperson	53,200
Member	36,900

Maungakiekie–Tamaki Local Board

Office	Annual salary (\$)
Chairperson	65,300
Deputy Chairperson	50,900
Member	36,600

Orakei Local Board

Office	Annual salary (\$)
Chairperson	68,200
Deputy Chairperson	51,500
Member	37,200

Otara–Papatoetoe Local Board

Office	Annual salary (\$)
Chairperson	67,800
Deputy Chairperson	51,400
Member	37,200

Papakura Local Board

Office	Annual salary (\$)
Chairperson	55,900
Deputy Chairperson	47,300
Member	35,100

Puketapapa Local Board

Office	Annual salary (\$)
Chairperson	60,000

Office	Annual salary (\$)
Deputy Chairperson	48,300
Member	36,000

Rodney Local Board

Office	Annual salary (\$)
Chairperson	57,400
Deputy Chairperson	52,800
Member	34,300

Upper Harbour Local Board

Office	Annual salary (\$)
Chairperson	57,600
Deputy Chairperson	47,700
Member	35,500

Waiheke Local Board

Office	Annual salary (\$)
Chairperson	41,900
Deputy Chairperson	31,900
Member	21,500

Waitakere Ranges Local Board

Office	Annual salary (\$)
Chairperson	57,300
Deputy Chairperson	47,700
Member	35,400

Waitemata Local Board

Office	Annual salary (\$)
Chairperson	63,900
Deputy Chairperson	50,700
Member	36,300

Whau Local Board

Office	Annual salary (\$)
Chairperson	66,400
Deputy Chairperson	51,200
Member	36,900

Dated at Wellington this 14th day of August 2012.

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 current local government structure for Auckland came into existence on 1 November 2010 and provided a new approach to the representation of Aucklanders that is unlike local government structures anywhere else in 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.

Accordingly, 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 in October 2010 there would be 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 that election.

This was undertaken and an amending determination was issued, backdated to 1 November 2010, which reflected 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 the June 2010 determination, the Authority indicated it would make a modest adjustment to remuneration from 1 July 2011, and would undertake a full review of the 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.

The determination that covered the period 1 July 2011 to 30 June 2012 increased the annual remuneration and establishment allowance available to members by 2%, and the mayoral remuneration by 1.5%. This mirrored the base movement applied to local government in the rest of the country.

When the Authority began the process of establishing a permanent remuneration framework in late 2011, it became clear that accountabilities, processes, and workload issues had still not been finalised. The Authority is continuing to work on these issues and is committed to developing a remuneration model to provide certainty to those considering putting themselves forward for election in 2013.

However, to maintain an equitable treatment with the remaining local authorities nationally, the Authority has, in this determination, applied a 1.5% increase to mayoral and councillor remuneration, and has increased local board remuneration to reflect population changes since 2010 and a 1.5% increase. All remuneration is rounded to the nearest \$100. The Authority has also made modest adjustments to the mileage and travel entitlements to better reflect council and local board travel commitments.

Explanatory
memorandum

**Local Government Elected Members
(2012/13) (Auckland Council and Local
Boards) Determination 2012**

Reprinted as at
13 October 2013

This determination is deemed to have come into force on 1 July 2012 and expires on the close of 30 June 2013. The determination is back-dated to 1 July 2012 because certain details could not be finalised in time for the determination to be issued prior to that date.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 16 August 2012.

Reprints notes

1 *General*

This is a reprint of the Local Government Elected Members (2012/13) (Auckland Council and Local Boards) Determination 2012 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, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

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 (2013/14) (Auckland Council and Local Boards) Determination 2013 (SR 2013/389): clause 14

Local Government Elected Members (2012/13) (Auckland Council and Local Boards) Determination 2012 (SR 2012/218): clause 3
