

of by that former authority and either the time for any appeal against such decision had not expired or notice of appeal had been given, any such appeal shall be deemed to be against the Hastings District Council; or

(c) Such application had been either partly or fully heard or considered by that former authority but no decision thereon had been given, the application shall be heard or considered again by the Hastings District Council or, as the case may require, a committee or delegate thereof.

### **88 CIVIL DEFENCE**

The operative local civil defence plans for the districts of the former authorities shall continue in force in the respective parts of the Hastings District until a new plan is approved for the Hastings District, in accordance with the Civil Defence Act 1983.

### **89 VESTING OF PROPERTY**

(1) All property, real and personal, vested in the corporation of any former authority and situated in the Hastings District is hereby vested in the corporation of the Hastings District Council, subject to all existing encumbrances.

(2) All property, real and personal, vested in the corporation of any former authority, other than the Taupo District Council and the Rangitikei County Council, and situated in a district in which that former authority is not also a former authority, is hereby vested in the corporation of the Hastings District Council, subject to all existing encumbrances.

### **90 TITLE TO PROPERTY**

Any reference, express or implied, to any former authority in any instrument or other document, or in any entry or record made in any register in relation to any property vested in the Hastings District Council by clause 89 of this order shall, unless the context otherwise requires, be read as a reference to "the Hastings District Council".

### **91 TRANSITIONAL COMMITTEE**

(1) The local authorities named in subclause (2) of this clause shall unite in appointing a transitional committee for the Hastings District.

(2) The local authorities to which this clause applies shall be:

- (a) the Hastings City Council; and
- (b) the Havelock North Borough Council; and
- (c) the Hawke's Bay County Council.

### **92 MEMBERSHIP OF TRANSITIONAL COMMITTEE**

The transitional committee for the Hastings District shall consist of:

- (a) Three members appointed by the Hastings City Council; and
- (b) Two members appointed by the Hawke's Bay County Council; and
- (c) One member appointed by the Havelock North Borough Council; and
- (d) One officer appointed by each local authority named in clause 91(2) of this order, who shall be non-voting members of the transitional committee; and
- (e) The Chief Executive designate, when appointed in accordance with clause 95 of this order, who shall be a non-voting member of the transitional committee; and

(f) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 91(2) of this order, who shall be a non-voting member of the transitional committee.

### **93 NO CASTING VOTE**

The Chairperson of the transitional committee for the Hastings District or other person presiding at any meeting of

the committee shall not have a casting vote in the case of equality of votes.

### **94 EXCLUSION OF NON-VOTING MEMBERS**

The transitional committee for the Hastings District may resolve to exclude any non-voting member of that committee from any meeting or part of a meeting where it proposes to consider any matter that affects that member personally.

### **95 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE**

The transitional committee for the Hastings District shall appoint a person to be the Chief Executive of the Hastings District Council.

### **96 PRINCIPAL LOCAL AUTHORITY**

The principal local authority for the transitional committee for the Hastings District shall be the Hastings City Council.

### **97 COSTS OF TRANSITIONAL COMMITTEE**

The costs of the transitional committee for the Hastings District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 91(2) of this order either:

- (a) In accordance with a formula agreed to by that committee; or
- (b) If there is no such agreement, in accordance with the following formula:

The proportion of those costs to be borne and paid by each local authority shall equal the proportion that the population (as at the time of the Census of Population and Dwellings held on the 4th day of March 1986) of—

- (i) The district of that local authority; or
- (ii) Those parts of the district of that local authority to be included in the Hastings District,

as the case may be, bears to the total of the populations (as at the time of that census) of all of the districts of the local authorities or parts of the districts of the local authorities to be included in Hastings District.

### **98 CONSULTATION WITH ADMINISTERING AUTHORITIES OF RESERVES**

(1) The transitional committee for the Hastings District shall consult with each administering body under the Reserves Act 1977 for each reserve whose functions, duties, and powers are, by this order, allocated to the Hastings District Council.

(2) The consultation shall be for the purpose of discussing the possible establishment of a committee of management for each reserve being administered by those administering authorities.

(3) Where, following that consultation, the transitional committee for the Hastings District considers it desirable that any committee or committees of management be established, the transitional committee shall recommend to the Hastings District Council that it establish such a committee or committees of management.

## **PART VI**

### ***Central Hawke's Bay District***

### **99 CONSTITUTION OF CENTRAL HAWKE'S BAY DISTRICT**

There is hereby constituted a district, to be known as "The Central Hawke's Bay District", which shall comprise the area delineated on S.O. Plan No. 9834 deposited with the Chief Surveyor of the Hawke's Bay Land District.

### **100 CENTRAL HAWKE'S BAY DISTRICT COUNCIL**

A territorial authority, to be known as "The Central Hawke's Bay District Council", is hereby constituted for the Central Hawke's Bay District.