

(b) Such application had been heard or otherwise disposed 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 Central Hawke's Bay 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 Central Hawke's Bay District Council or, as the case may require, a committee or delegate thereof.

## 112 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 Central Hawke's Bay District until a new plan is approved for the Central Hawke's Bay District, in accordance with the Civil Defence Act 1983.

## 113 VESTING OF PROPERTY

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

(2) All property, real and personal, vested in the corporation of any former authority, other than Dannevirke District 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 Central Hawke's Bay District Council, subject to all existing encumbrances.

## 114 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 Central Hawke's Bay District Council by clause 113 of this order shall, unless the context otherwise requires, be read as a reference to "the Central Hawke's Bay District Council".

## 115 TRANSITIONAL COMMITTEE

(1) The local authorities named in subclause (2) of this clause shall unite in appointing a transitional committee for the Central Hawke's Bay District.

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

- (a) The Waipawa District Council; and
- (b) The Waipukurau District Council.

## 116 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Central Hawke's Bay District shall consist of:

(a) Two members appointed by the Waipawa District Council; and

(b) Two members appointed by the Waipukurau District Council; and

(c) One officer to be appointed by each local authority named in clause 115(2) of this order, who shall be non-voting members of the transitional committee; and

(d) The Chief Executive designate, when appointed in accordance with Clause 119 of this order, who shall be a non-voting member of the transitional committee; and

(e) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in Clause 115(2) of this order, who shall be a non-voting member of the transitional committee.

## 117 NO CASTING VOTE

The Chairperson of the transitional committee for the Central Hawke's Bay District or other person presiding at any meeting of the committee shall not have a casting vote in the case of equality of votes.

## 118 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Central Hawke's Bay 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.

## 119 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

The transitional committee for the Central Hawke's Bay District shall appoint a person to be the Chief Executive of the Central Hawke's Bay District Council.

## 120 PRINCIPAL LOCAL AUTHORITY

The principal local authority for the transitional committee for the Central Hawke's Bay District shall be the Waipukurau District Council.

## 121 COSTS OF TRANSITIONAL COMMITTEE

The costs of the transitional committee for the Central Hawke's Bay District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 115(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 Central Hawke's Bay 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 the Central Hawke's Bay District.

## 122 CONSULTATION WITH ADMINISTERING AUTHORITIES OF RESERVES

(1) The transitional committee for the Central Hawke's Bay 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 Central Hawke's Bay 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 Central Hawke's Bay District considers it desirable that any committee or committees of management be established, the transitional committee shall recommend to the Central Hawke's Bay District Council that it establish such a committee or committees of management.

## PART VII

### *Hawke's Bay Harbour Board*

## 123 VESTING OF PROPERTY

(1) This clause shall apply to that property, real and personal, vested in the Hawke's Bay Harbour Board as at the 31st day of October 1989.

(2) Subject to subclauses (6), (8), (9) and (10) of this clause, all property—

(a) Which is vested in the Hawke's Bay Harbour Board as at the 31st day of October 1989; and

(b) Which is situated within the area of the Napier City constituted by this order; and