

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

99 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 Kaipara District until a new plan is approved for the Kaipara District, in accordance with the Civil Defence Act 1983.

100 VESTING OF PROPERTY

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

(2) All property, real and personal, vested in the corporation of any former authority, other than the Rodney 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 Kaipara District Council, subject to all existing encumbrances.

101 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 Kaipara District Council by clause 100 of this order shall, unless the context otherwise requires, be read as a reference to "The Kaipara District Council".

102 TRANSITIONAL COMMITTEE

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

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

- (a) The Hobson County Council; and
- (b) The Dargaville Borough Council; and
- (c) The Otamatea County Council.

103 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Kaipara District shall consist of:

- (a) Two members appointed by the Hobson County Council; and
- (b) Two members appointed by the Dargaville Borough Council; and
- (c) Two members appointed by the Otamatea County Council; and
- (d) One officer appointed by each local authority named in clause 102(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 106 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 102(2) of this order, who shall be a non-voting member of the transitional committee.

104 NO CASTING VOTE

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

105 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Kaipara 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.

106 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

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

107 PRINCIPAL LOCAL AUTHORITY

The principal local authority for the transitional committee for the Kaipara District shall be the Otamatea County Council.

108 COSTS OF TRANSITIONAL COMMITTEE

The costs of the transitional committee for the Kaipara District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 102(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 Kaipara 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 Kaipara District.

109 CONSULTATION WITH ADMINISTERING AUTHORITIES OF RESERVES

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

PART VI

Northland Harbour Board

110 VESTING OF PROPERTY

(1) This clause shall apply to that property, real and personal, vested in the Northland 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 Northland Harbour Board as at the 31st day of October 1989; and
- (b) Which is situated within the area of the Whangarei District constituted by this order; and
- (c) Which—
 - (i) Is a reserve under the Reserves Act 1977; or