

49 TOWN AND COUNTRY PLANNING

(1) The Waitaki District Council shall not be required to prepare a new district scheme, immediately, for the Waitaki District.

(2) The operative district schemes and the proposed district schemes under the Town and Country Planning Act 1977 of the former authorities shall be deemed to be the operative district scheme or, as the case may be, the proposed district scheme, of the Waitaki District.

(3) Where any former authority had, prior to its dissolution, begun the preparation of any review of its district scheme or of any change or variation thereof, then, subject to any resolution of the Waitaki District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Waitaki District Council and may be adopted and acted upon by it.

(4) Where before the coming into force of this clause any application had been made to any former authority by any person pursuant to any provision of the Town and Country Planning Act 1977 and:

(a) No hearing by that former authority or any committee thereof had begun of such application or any objection thereto, the application shall be deemed to have been made to the Waitaki District Council and shall be dealt with by it accordingly; or

(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 Waitaki 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 Waitaki District Council or, as the case may require, a committee or delegate thereof.

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

51 VESTING OF PROPERTY

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

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

52 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 Waitaki District Council by clause 51 of this order shall, unless the context otherwise requires, be read as a reference to "The Waitaki District Council".

53 TRANSITIONAL COMMITTEE

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

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

(a) The Waitaki County Council; and

(b) The Oamaru Borough Council; and

(c) The Waihemo County Council.

54 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Waitaki District shall consist of:

(a) Two members appointed by the Waitaki County Council; and

(b) Three members appointed by the Oamaru Borough Council; and

(c) One member appointed by the Waihemo County Council; and

(d) One officer appointed by each local authority, named in clause 53(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 57 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 53(2) of this order, who shall be a non-voting member of the transitional committee.

55 NO CASTING VOTE

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

56 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Waitaki 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.

57 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

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

58 PRINCIPAL LOCAL AUTHORITY

The principal local authority for the transitional committee for the Waitaki District shall be the Oamaru Borough Council.

59 COSTS OF TRANSITIONAL COMMITTEE

The costs of the transitional committee for the Waitaki District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 53(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 Waitaki District,

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