

39 WARDS

(1) The Hamilton City is hereby divided into 5 wards.

(2) Those 5 wards are:

(a) The Chartwell-Fairfield Ward, comprising the area delineated on S.O. Plan No. 57983 deposited with the Chief Surveyor of the South Auckland Land District:

(b) The Hamilton East-Hillcrest Ward, comprising the area delineated on S.O. Plan No. 57986 deposited with the Chief Surveyor of the South Auckland Land District:

(c) The North Central Ward, comprising the area delineated on S.O. Plan No. 57984 deposited with the Chief Surveyor of the South Auckland Land District:

(d) The Dinsdale-Nawton Ward, comprising the area delineated on S.O. Plan No. 57985 deposited with the Chief Surveyor of the South Auckland Land District:

(e) The Melville-Lake Ward, comprising the area delineated on S.O. Plan No. 57987 deposited with the Chief Surveyor of the South Auckland Land District.

40 MEMBERSHIP

(1) The Hamilton City Council shall consist of a Mayor and 17 members.

(2) The members of the Hamilton City Council to be elected at the first election of that Council shall be elected as follows:

(a) Four members shall be elected by the electors of the Chartwell-Fairfield Ward; and

(b) Four members shall be elected by the electors of the Hamilton East-Hillcrest Ward; and

(c) Three members shall be elected by the electors of the North Central Ward; and

(d) Three members shall be elected by the electors of the Dinsdale-Nawton Ward; and

(e) Three members shall be elected by the electors of the Melville-Lake Ward.

41 FIRST ELECTION

(1) For the purposes of the first election of the Hamilton City Council, the Returning Officer and the principal administrative officer for the Hamilton City shall be, respectively, the Returning Officer and the principal administrative officer for the former Hamilton City.

(2) The first election of the Hamilton City Council shall be conducted by postal vote.

42 FIRST MEETING

The first meeting of the Hamilton City Council:

(a) Shall be convened by the principal administrative officer of that Council; and

(b) Shall be held no later than the 14th day of November 1989.

43 CHIEF EXECUTIVE

(1) The Chief Executive of the Hamilton City Council shall be the person holding the position of Chief Executive of the former Hamilton City Council immediately before the coming into force of this clause.

(2) The Chief Executive shall be the principal administrative officer of the Hamilton City Council.

44 FUNCTIONS, DUTIES, AND POWERS

The functions, duties, and powers of the Hamilton City Council shall be:

(a) The functions, duties, and powers of a territorial authority under—

(i) The Local Government Act 1974; and

(ii) Any other public Act relating to the Hamilton City Council or any of the former authorities; and

(iii) Any local Act relating to the Hamilton City Council or any of the former authorities; and

(b) The functions, duties, and powers of an administering body under the Reserves Act 1977 in respect of the reserves being administered by the former authorities immediately before the coming into force of this clause.

45 ADMINISTRATION HEADQUARTERS

The administration headquarters of the Hamilton City Council shall be located in Hamilton.

46 RATING

(1) The system of rating in the Hamilton City shall be the land value system.

(2) Until the Valuer-General is able to produce a valuation roll for the Hamilton City, Part XIV of the Rating Powers Act 1988 shall apply as if the Hamilton City was the district of a special purpose authority and the areas from which it was formed were constituent districts.

47 TOWN AND COUNTRY PLANNING

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

(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 Hamilton City.

(3) Where any former authority had, prior to its dissolution, begun the preparation of any review of its district scheme or any change or variation thereof, then, subject to any resolution of the Hamilton City Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Hamilton City 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 Hamilton City 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 Hamilton City 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 Hamilton City Council or, as the case may require, a committee or delegate thereof.

48 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 Hamilton City until a new plan is approved for the Hamilton City, in accordance with the Civil Defence Act 1983.

49 VESTING OF PROPERTY

(1) Subject to clause 67(3) of this order, all property, real and personal, vested in the corporation of any former authority and situated in the Hamilton City is hereby vested in the corporation of the Hamilton City Council, subject to all existing encumbrances.

(2) All property, real and personal, vested in the corporation of the former Hamilton City Council and situated in a district in which that council is not also a former authority, is hereby