

The transitional committee for the Franklin District shall consist of:

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

(b) Two members appointed by the Pukekohe Borough Council; and

(c) One member appointed by the Tuakau Borough Council; and

(d) One member appointed by the Waiuku Borough Council; and

(e) One member appointed by the Raglan County Council; and

(f) One officer appointed by each local authority named in clause 193(2) of this order, who shall be non-voting members of the transitional committee; and

(g) The Chief Executive designate, when appointed in accordance with clause 197 of this order, who shall be a non-voting member of the transitional committee; and

(h) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 193(2) of this order, who shall be a non-voting member of the transitional committee.

195 NO CASTING VOTE

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

196 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Franklin 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.

197 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

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

198 PRINCIPAL LOCAL AUTHORITY

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

199 COSTS OF TRANSITIONAL COMMITTEE

The costs of the transitional committee for the Franklin District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 193(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 Franklin 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 included in the Franklin District by this Part of this order.

200 CONSULTATION WITH ADMINISTERING AUTHORITIES OF RESERVES

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

PART X

Auckland Harbour Board

201 VESTING OF PROPERTY

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

(2) Subject to subclauses (3), (7), (9), (10), and (11) of this clause, all property:

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

(b) Which—

(i) Is a reserve under the Reserves Act 1977; or

(ii) Is principally used for recreational purposes, whether or not it is a reserve under the Reserves Act 1977; or

(iii) Is a marina, wharf, jetty, boat ramp or other harbour facility used principally for recreational purposes; or

(iv) Is an item of plant or equipment used principally in association with the maintenance, use or operation of the facilities referred to in sub-paragraphs (i), or (ii) or (iii) of this paragraph,

is hereby vested in the territorial authority, in whose district it is situated, for the purpose for which it is so reserved, or, where there is no such purpose, for the purposes of any function transferred by this order to that territorial authority.

(3) All those moorings vested in, or under the control of, the Auckland Harbour Board, except for those associated with any marina vested in a territorial authority pursuant to subclause (2) of this clause, is hereby vested in, or transferred to, the control of the Auckland Regional Council.

(4) Subject to subclauses (7), (9), (10), and (11) of this clause, all that property which is vested in the Auckland Harbour Board as at the 31st day of October 1989, which is situated in any district of a territorial authority, as constituted by this order, and which is adjacent to any harbour or the sea shall be vested in the territorial authority in whose district it is situated.

(5) Where there is any dispute over whether any property comes within a category of property referred to in this clause, the matter is hereby referred to the Local Government Commission for determination.

(6) Subject to subclauses (9) to (11) of this clause, any property which is vested in the Auckland Harbour Board as at the 31st day of October 1989 and which does not come within a category of property referred to in subclause (2) or subclause (4) of this clause is hereby vested in the Auckland Regional Council.

(7) Notwithstanding anything in subclauses (2), (3), and (4) of this clause, but subject to subclauses (10) and (11) of this clause, any land which is vested in the Auckland Harbour Board as at the 31st day of October 1989 and which is below the mean high water mark is hereby vested in the Auckland Regional Council.

(8) For the purposes of this clause, any property which is fixed to, or under or over, any land which is below the mean high water mark, and which is used for, or in conjunction with, any