

**40 CHIEF EXECUTIVE**

(1) The Chief Executive of the Buller District Council shall be the person appointed to that position in accordance with clause 54 of this order.

(2) The Chief Executive shall be the principal administrative officer of the Buller District Council.

**41 FUNCTIONS, DUTIES, AND POWERS**

The functions, duties, and powers of the Buller District 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 Buller District Council or any of the former authorities; and
- (iii) Any local Act relating to the Buller District 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.

**42 ADMINISTRATION HEADQUARTERS**

The administration headquarters of the Buller District Council shall be located in Westport.

**43 SERVICE DELIVERY CENTRE**

The Buller District Council shall, at least until the 1st day of November 1995, establish and maintain a service delivery centre in Reefton, in accordance with the provisions of the Second Schedule to this order.

**44 INANGAHUA COMMUNITY**

(1) There is hereby constituted a community for the area of the Inangahua Ward, to be known as "The Inangahua Community".

(2) The community board for the Inangahua Community shall consist of:

(a) Six members elected by the electors of that community; and

(b) The persons elected, from time to time, as members of the district council representing the Inangahua Ward and appointed by the Buller District Council to the community board.

(3) The Returning Officer for the first election of the community board for the community constituted by this clause shall be the Returning Officer for the Buller County.

(4) The first election of the community board for the community constituted by this clause shall be conducted by postal vote.

**45 RATING**

(1) The system of rating in the Buller District shall be the land value system.

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

**46 TOWN AND COUNTRY PLANNING**

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

(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 Buller District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Buller 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 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 heard or considered by the Buller 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 any such decision had not expired or notice of appeal had been given, any such appeal shall be deemed to be against the Buller 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 Buller District Council or, as the case may require, a committee or delegate thereof.

**47 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 Buller District until a new plan is approved for the Buller District, in accordance with the Civil Defence Act 1983.

**48 VESTING OF PROPERTY**

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

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

**49 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 Buller District Council by clause 48 of this order shall, unless the context otherwise requires, be read as a reference to "The Buller District Council".

**50 TRANSITIONAL COMMITTEE**

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

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

- (a) The Buller County Council; and
- (b) The Westport Borough Council; and
- (c) The Inangahua County Council.

**51 MEMBERSHIP OF TRANSITIONAL COMMITTEE**

The transitional committee for the Buller District shall consist of:

- (a) Two members appointed by the Buller County Council; and
- (b) Three members appointed by the Westport Borough Council; and