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**Order****1 TITLE AND COMMENCEMENT**

(1) This order may be cited as the Local Government (Bay of Plenty Region) Reorganisation Order 1989.

(2) Subject to subclause (3) of this clause, this order shall come into force on the 1st day of November 1989.

(3) Those provisions of this order necessary:

(a) To provide for the first election of the members of the local authorities, and the members of the community boards for the communities, constituted by this order; and

(b) For the purposes of clauses 28 to 35, 52 to 59, 77 to 83, 99, 118 to 124, and 165 of this order; and

(c) For the appointment of the principal administrative officers of the local authorities constituted by this order, shall come into force on the making of this order.

**2 ELECTIONS**

(1) The first elections of the local authorities, and the community boards for the communities, constituted by this order shall be held on the 14th day of October 1989.

(2) For the purposes of the holding of elections for the members of the Bay of Plenty Regional Council to represent the Western Bay of Plenty Constituency and the Eastern Bay of Plenty Constituency, the provisions of the Local Elections and Polls Act 1976 and Part III of the Local Government Act 1974 shall apply as if:

(a) Those parts of each of those constituencies not within the district of a territorial authority (other than by virtue of section 2 of the Local Government Act 1974) constituted the district of a territorial authority; and

(b) The Returning Officer and the principal administrative officer for that district were, respectively, the Returning Officer and the principal administrative officer for the Tauranga County and the Whakatane District.

**3 COMMUNITIES**

Each community constituted by this order shall come into existence on the day after the date on which the Returning Officer declares the result of the first election of members of the community board for that community, provided that no such community shall come into existence prior to the 1st day of November 1989.

**PART I*****Bay of Plenty Region*****4 CONSTITUTION OF BAY OF PLENTY REGION**

There is hereby constituted a region, to be known as "The Bay of Plenty Region", which shall comprise the area delineated on S.O. Plan No. 58080 deposited with the Chief Surveyor of the South Auckland Land District.

**5 CONSTITUENT AUTHORITIES**

The constituent authorities of the Bay of Plenty Region shall comprise:

(a) The territorial authorities constituted by Parts III to VIII of this order; and

(b) In relation to any part of the Taupo District constituted by the Local Government (Waikato Region) Reorganisation

Order 1989 that is within the Bay of Plenty Region, the Taupo District Council.

**6 DISSOLUTION OF EXISTING LOCAL AUTHORITIES AND THE ABOLITION OF EXISTING DISTRICTS**

(1) Every local authority named in Part I or Part II of the First Schedule to this order is hereby dissolved.

(2) Every district named in Part I of the First Schedule to this order is hereby abolished.

**7 REFERENCES TO FORMER AUTHORITY**

(1) Every reference in this order to a former authority shall, where part only of the district of a former authority has been included within the district of a local authority, or any function of a former authority has been allocated to a local authority, be read as a reference to the former authority only in relation to that part or, as the case may be, that function.

(2) Any reference in Part X of this order to "the former authorities" or "former authority" shall be a reference to any of the former authorities defined in Parts II to VIII of this order.

**8 DISSOLUTION OF EXISTING COMMUNITY COUNCILS AND ABOLITION OF EXISTING COMMUNITIES**

(1) Every community council named in the Second Schedule to this order is hereby dissolved.

(2) Every community named in the Second Schedule to this order is hereby abolished.

**PART II*****Bay of Plenty Regional Council*****9 BAY OF PLENTY REGIONAL COUNCIL**

A regional council, to be known as "The Bay of Plenty Regional Council", is hereby constituted for the Bay of Plenty Region.

**10 INTERPRETATION**

In this Part of this order:

"The former authorities" means—

- (a) The Bay of Plenty United Council; and
- (b) The East Cape United Council; and
- (c) The Bay of Plenty Catchment Board and Regional Water Board; and
- (d) The East Cape Catchment Board and Regional Water Board; and
- (e) The Rangitaiki Drainage Board; and
- (f) Subject to Part IX of this order, The Bay of Plenty Harbour Board; and
- (g) The Tauranga County District Noxious Plants Authority; and
- (h) The Tauranga City District Noxious Plants Authority; and
- (i) The Mount Maunganui Borough District Noxious Plants Authority; and
- (j) The Te Puke Borough District Noxious Plants Authority; and
- (k) The Rotorua District Noxious Plants Authority; and