

(7) The Bay of Plenty Regional Council and the constituent authorities may, by unanimous agreement, resolve:

(a) That, at any time after the 1st day of July 1990, that Council shall levy and collect all or any rates directly; or

(b) That, at any time after the 1st day of July 1990, the amount payable by that Council to each constituent authority, pursuant to subclause (6) of this clause, may be increased or decreased or calculated in accordance with a formula not based upon a percentage.

## 24 REGIONAL PLANNING

(1) The Bay of Plenty Regional Council shall not be required to prepare a new regional planning scheme immediately.

(2) The approved regional planning schemes and the proposed regional planning schemes under the Town and Country Planning Act 1977 of the former authorities shall be deemed to be the approved, or as the case may be the proposed, regional planning scheme of the Bay of Plenty Region.

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

## 25 CIVIL DEFENCE

The operative regional civil defence plans of the Thames Valley, Waikato, Tongariro, East Cape and former Bay of Plenty Regions shall continue in force in those areas included in the Bay of Plenty Region until a new plan is approved for the whole region, in accordance with the Civil Defence Act 1983.

## 26 VESTING OF PROPERTY

(1) Except as otherwise provided in this order, all property, real and personal, vested in the corporation of any former authority and situated in the Bay of Plenty Region is hereby vested in the corporation of the Bay of Plenty Regional Council, subject to all existing encumbrances.

(2) All property, real and personal, vested in the corporation of any former authority, other than those former authorities named in paragraphs (b), (d), (n), and (p) to (y) of clause 10 of this order, and situated in a region in which that former authority is not also a former authority, is hereby vested in the corporation of the Bay of Plenty Regional Council, subject to all existing encumbrances.

## 27 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 Bay of Plenty Regional Council by clause 26 of this order shall, unless the context otherwise requires, be read as a reference to "The Bay of Plenty Regional Council".

## 28 TRANSITIONAL COMMITTEE

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

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

- (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) 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

(l) The Whakatane District Noxious Plants Authority; and

(m) The Opotiki District Noxious Plants Authority; and

(n) The Central North Island Pest Destruction Board; and

(o) The Tauranga County Pest Destruction Board; and

(p) The East Coast Pest Destruction Board.

## 29 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Bay of Plenty Region shall consist of:

(a) Two members appointed by the Bay of Plenty United Council; and

(b) One member appointed by the East Cape United Council; and

(c) Two members appointed by the Bay of Plenty Catchment Board and Regional Water Board; and

(d) One member appointed by the East Cape Catchment Board and Regional Water Board; and

(e) One member appointed by the Rangitaiki Drainage Board; and

(f) One member appointed by the Bay of Plenty Harbour Board; and

(g) One member appointed jointly by the district noxious plants authorities and the pest destruction boards named in paragraphs (g) to (p) of clause 28(2) of this order; and

(h) One officer appointed by each local authority named in paragraphs (a) to (f) of clause 28(2) of this order, who shall be non-voting members of the transitional committee; and

(i) One officer appointed jointly by the district noxious plants authorities and the pest destruction boards named in paragraphs (g) to (p) of clause 28(2) of this order, who shall be a non-voting member of the transitional committee; and

(j) The Chief Executive designate, when appointed in accordance with clause 32 of this order, who shall be a non-voting member of the transitional committee; and

(k) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 28(2) of this order, who shall be a non-voting member of the transitional committee.

## 30 NO CASTING VOTE

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

## 31 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Bay of Plenty Region 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.

## 32 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

The transitional committee for the Bay of Plenty Region shall appoint a person to be the Chief Executive of the Bay of Plenty Regional Council.