

(b) The functions, duties, and powers of a harbour board in respect of the provision and maintenance of those marinas, wharves, jetties, boat ramps, and other harbour facilities formerly the responsibility of the Bay of Plenty Harbour Board and transferred to the Tauranga District Council by Part IX of this order; and

(c) The functions, duties and powers of the Tauranga City Council, the Mount Maunganui Borough Council and the Bay of Plenty Harbour Board under the Tauranga City Council and Mount Maunganui Borough Council (Tauranga Harbour Bridge) Empowering Act 1972; and

(d) 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.

(2) Any reference in the Tauranga City Council and Mount Maunganui Borough Council (Tauranga Harbour Bridge) Empowering Act 1972 to the "united councils" shall be read as a reference to "The Tauranga District Council".

45 ADMINISTRATION HEADQUARTERS

The administration headquarters of the Tauranga District Council shall be located within the Tauranga District.

46 SERVICE DELIVERY CENTRE

The Tauranga District Council shall, at least until the 1st day of November 1995, establish and maintain a service delivery centre in:

(a) Mount Maunganui, should the administration headquarters be located in Tauranga; or

(b) Tauranga, should the administration headquarters be located in Mount Maunganui,

in accordance with the provisions of the Third Schedule to this order.

47 RATING

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

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

48 TOWN AND COUNTRY PLANNING

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

(3) Where any former authority had, prior to its dissolution, begun the preparation of any review of its district scheme or of any change or variation thereof, then, subject to any resolution of the Tauranga District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Tauranga 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 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 Tauranga 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 such decision had not expired or notice of appeal had been given, any such appeal shall be deemed to be against the Tauranga 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 Tauranga District Council or, as the case may require, a committee or delegate thereof.

49 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 Tauranga District until a new plan is approved for the Tauranga District, in accordance with the Civil Defence Act 1983.

50 VESTING OF PROPERTY

(1) Subject to subclauses (3) and (4) of clause 75 of this order, all property, real and personal, vested in the corporation of any former authority and situated in the Tauranga District is hereby vested in the corporation of the Tauranga District Council, subject to all existing encumbrances.

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

51 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 Tauranga District Council by clause 50 of this order shall, unless the context otherwise requires, be read as a reference to "The Tauranga District Council".

52 TRANSITIONAL COMMITTEE

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

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

(a) The Tauranga City Council; and

(b) The Mount Maunganui Borough Council; and

(c) The Tauranga County Council.

53 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Tauranga District shall consist of:

(a) Three members appointed by the Tauranga City Council; and

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

(c) One member appointed by the Tauranga County Council; and

(d) One officer appointed by each local authority named in clause 52(2) of this order, who shall be non-voting members of the transitional committee; and

(e) The Chief Executive designate, when appointed in accordance with clause 56 of this order, who shall be a non-voting member of the transitional committee; and

(f) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 52(2) of this order, who shall be a non-voting member of the transitional committee.

54 NO CASTING VOTE

The Chairperson of the transitional committee for the