

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

## 68 FUNCTIONS, DUTIES, AND POWERS

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

(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 Western Bay of Plenty District Council by Part IX of this order; and

(c) 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.

## 69 ADMINISTRATION HEADQUARTERS

Until the Western Bay of Plenty District Council otherwise resolves, the administration headquarters of the Western Bay of Plenty District Council shall be located in Tauranga.

## 70 SERVICE DELIVERY CENTRES

The Western Bay of Plenty District Council shall, at least until the 1st day of November 1995, establish and maintain a service delivery centre in Te Puke and in Katikati, in accordance with the provisions of the Third Schedule to this order.

## 71 COMMUNITIES

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

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

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

(b) One person elected from time to time as a member of the Western Bay of Plenty District Council, representing the ward comprising the area of the community, and appointed by the Western Bay of Plenty District Council to the community board.

(3) There is hereby constituted a community for each of the following areas:

(a) A community to be known as "The Katikati Community", comprising the area delineated on S.O. Plan No. 58101 deposited with the Chief Surveyor of the South Auckland Land District; and

(b) A community to be known as "The Omokoroa Community", comprising the area delineated on S.O. Plan No. 58107 deposited with the Chief Surveyor of the South Auckland Land District; and

(c) A community to be known as "The Te Puke Community", comprising the area delineated on S.O. Plan No. 58106 deposited with the Chief Surveyor of the South Auckland Land District; and

(d) A community to be known as "The Maketu Community", comprising the area delineated on S.O. Plan No. 58102 deposited with the Chief Surveyor of the South Auckland Land District.

(4) The community boards for the Katikati Community, the

Omokoroa Community, and the Maketu Community shall consist of:

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

(b) Not less than one person elected from time to time as a member of the Western Bay of Plenty District Council, representing the ward including the area of the community, and appointed by the Western Bay of Plenty District Council to the community board.

(5) The community board for the Te Puke Community shall consist of:

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

(b) Not less than two persons elected from time to time as members of the Western Bay of Plenty District Council, representing the ward including the area of the community, and appointed by the Western Bay of Plenty District Council to the community board.

(6) The Returning Officer for the first election of the community boards for those communities constituted by this clause shall be the Returning Officer for the Tauranga County.

(7) The first election of the community boards for the communities constituted by this clause shall be conducted by postal vote.

## 72 RATING

(1) The system of rating in the Western Bay of Plenty District shall be the land value system.

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

## 73 TOWN AND COUNTRY PLANNING

(1) The Western Bay of Plenty District Council shall not be required to prepare a new district scheme, immediately, for the Western Bay of Plenty 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 Western Bay of Plenty 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 Western Bay of Plenty District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Western Bay of Plenty 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 Western Bay of Plenty 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 Western Bay of Plenty 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 Western Bay of Plenty District Council or, as the case may require, a committee or delegate thereof.