

74 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 Western Bay of Plenty District until a new plan is approved for the Western Bay of Plenty District, in accordance with the Civil Defence Act 1983.

75 VESTING OF PROPERTY

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

(2) All property, real and personal, vested in the corporation of any former authority, other than the Ohinemuri County Council and the Matamata 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 Western Bay of Plenty District Council, subject to all existing encumbrances.

(3) All that land described in Part Lot 3, Deeds Plan 239, Balance C.T. 575/84 (South Auckland Land District), together with all plant, fixtures, and fittings normally located or based thereon, shall be vested in the corporation of the Western Bay of Plenty District Council, subject to all existing encumbrances.

(4) The interest of the Tauranga County Council in Deferred Payment License 23D/805 (South Auckland Land District) being Allotment 851, Te Papa Parish, together with all plant, fixtures, and fittings normally located or based thereon, shall be vested in the corporation of the Western Bay of Plenty District Council, subject to all existing encumbrances.

76 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 Western Bay of Plenty District Council by clause 75 of this order shall, unless the context otherwise requires, be read as a reference to "The Western Bay of Plenty District Council".

77 TRANSITIONAL COMMITTEE

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

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

- (a) The Tauranga County Council; and
- (b) The Te Puke Borough Council; and
- (c) The Ohinemuri County Council.

78 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee for the Western Bay of Plenty District shall consist of:

- (a) Three members appointed by the Tauranga County Council; and
- (b) Two members appointed by the Te Puke Borough Council; and
- (c) One member appointed by the Ohinemuri County Council; and
- (d) One officer appointed by each local authority named in clause 77(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 81 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 77(2) of this order, who shall be a non-voting member of the transitional committee.

79 NO CASTING VOTE

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

80 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Western Bay of Plenty District 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.

81 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

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

82 PRINCIPAL LOCAL AUTHORITY

The principal local authority for the transitional committee for the Western Bay of Plenty District shall be the Tauranga County Council.

83 COSTS OF TRANSITIONAL COMMITTEE

The costs of the transitional committee for the Western Bay of Plenty District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 77(2) of this order either:

- (a) In accordance with a formula agreed to by that committee; or
- (b) If there is no such agreement, in accordance with the following formula—

The proportion of those costs to be borne and paid by each local authority shall equal the proportion that the population (as at the time of the Census of Population and Dwellings held on the 4th day of March 1986) of:

- (i) The district of that local authority; or
- (ii) Those parts of the district of that local authority to be included in the Western Bay of Plenty District,

as the case may be, bears to the total of the populations (as at the time of that census) of all of the districts of the local authorities or parts of the districts of the local authorities to be included in the Western Bay of Plenty District.

PART V***Rotorua District*****84 CONSTITUTION OF ROTORUA DISTRICT**

There is hereby constituted a district, to be known as "The Rotorua District", which shall comprise the area delineated on S.O. Plan No. 58044 deposited with the Chief Surveyor of the South Auckland Land District.

85 ROTORUA DISTRICT COUNCIL

A territorial authority, to be known as "The Rotorua District Council", is hereby constituted for the Rotorua District.

86 INTERPRETATION

In this Part of this order:

"The former authorities" means—

- (a) The former Rotorua District Council; and
- (b) The Matamata County Council; and
- (c) The Taupo District Council; and
- (d) The Whakatane District Council; and
- (e) The Horahora-Ngakura Recreation Reserve Board,