

respectively, the Returning Officer and the principal administrative officer for the former Whakatane District.

(2) The first election of the Whakatane District Council shall be conducted by postal vote.

106 FIRST MEETING

The first meeting of the Whakatane District Council:

(a) Shall be convened by the principal administrative officer of that Council; and

(b) Shall be held no later than the 14th day of November 1989.

107 CHIEF EXECUTIVE

(1) The Chief Executive of the Whakatane District Council shall be the person holding the position of General Manager of the former Whakatane District Council immediately before the coming into force of this clause.

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

108 FUNCTIONS, DUTIES, AND POWERS

The functions, duties, and powers of the Whakatane 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 Whakatane District Council or any of the former authorities; and

(iii) Any local Act relating to the Whakatane District Council or any of the former authorities; and

(b) 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.

109 ADMINISTRATION HEADQUARTERS

The administration headquarters of the Whakatane District Council shall be located in Whakatane.

110 SERVICE DELIVERY CENTRE

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

111 OHIWA HARBOUR ADVISORY COMMITTEE

The Whakatane District Council and the Opotiki District Council shall unite in appointing a joint committee, to be known as "The Ohiwa Harbour Advisory Committee", in accordance with the provisions of clause 149 of this order.

112 COMMUNITIES

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

(2) The community board for the Murupara 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 Whakatane District Council, representing the ward comprising the area of the community, and appointed by the Whakatane 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 Taneatua Community", comprising the area delineated on S.O. Plan No. 58104 deposited with the Chief Surveyor of the South Auckland Land District; and

(b) A community to be known as "The Edgecumbe Community", comprising the area delineated on S.O. Plan No. 58105 deposited with the Chief Surveyor of the South Auckland Land District; and

(c) A community to be known as "The Matata Community", comprising the area delineated on S.O. Plan No. 58103 deposited with the Chief Surveyor of the South Auckland Land District.

(4) The community board for each community constituted by subclause (3) of this clause shall consist of:

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

(b) One member elected from time to time as a member of the Whakatane District Council, representing the ward including the area of the community, and appointed by the Whakatane District Council to the community board.

(5) The Returning Officer for the first election of the community boards for the communities constituted by this clause shall be the Returning Officer for the former Whakatane District.

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

113 RATING

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

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

114 TOWN AND COUNTRY PLANNING

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