

**115 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 Whakatane District until a new plan is approved for the Whakatane District, in accordance with the Civil Defence Act 1983.

**116 VESTING OF PROPERTY**

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

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

**117 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 Whakatane District Council by clause 116 of this order shall, unless the context otherwise requires, be read as a reference to "The Whakatane District Council".

**118 TRANSITIONAL COMMITTEE**

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

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

- (a) The former Whakatane District Council; and
- (b) The Murupara Borough Council.

**119 MEMBERSHIP OF TRANSITIONAL COMMITTEE**

The transitional committee for the Whakatane District shall consist of:

- (a) Two members appointed by the former Whakatane District Council; and
- (b) One member appointed by the Murupara Borough Council; and
- (c) One officer appointed by each local authority named in clause 118(2) of this order, who shall be non-voting members of the transitional committee; and
- (d) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 118(2) of this order, who shall be a non-voting member of the transitional committee.

**120 NO CASTING VOTE**

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

**121 EXCLUSION OF NON-VOTING MEMBERS**

The transitional committee for the Whakatane 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.

**122 PRINCIPAL LOCAL AUTHORITY**

The principal local authority for the transitional committee for the Whakatane District shall be the former Whakatane District Council.

**123 COSTS OF TRANSITIONAL COMMITTEE**

The costs of the transitional committee for the Whakatane District (including the costs of providing administrative

services to it) shall be borne and paid by the local authorities named in clause 118(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 Whakatane 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 Whakatane District.

**124 CONSULTATION WITH GALATEA DOMAIN BOARD**

(1) The transitional committee for the Whakatane District shall consult with the Galatea Domain Board for the purpose of discussing the possible establishment of a committee of management for the Galatea Domain.

(2) Where, following that consultation, the transitional committee for the Whakatane District considers it desirable that a committee of management be established, the transitional committee shall recommend to the Whakatane District Council that it establish such a committee of management.

**PART VII*****Kawerau District*****125 CONSTITUTION OF KAWERAU DISTRICT**

There is hereby constituted a district, to be known as "The Kawerau District", which shall comprise the area delineated on S.O. Plan No. 57977 deposited with the Chief Surveyor of the South Auckland Land District.

**126 KAWERAU DISTRICT COUNCIL**

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

**127 INTERPRETATION**

In this Part of this order:

"The former authority" means the former Kawerau District Council:

"Former Kawerau District" means the Kawerau District in existence immediately before the coming into force of this clause of this order:

"Former Kawerau District Council" means the Kawerau District Council in existence immediately before the coming into force of this clause of this order:

"Kawerau District" means the Kawerau District constituted by this order:

"Kawerau District Council" means the Kawerau District Council constituted by this order.

**128 MEMBERSHIP**

The Kawerau District Council shall consist of a Mayor and 10 members elected by the electors of the district as a whole.

**129 FIRST ELECTION**

(1) For the purposes of the first election of the Kawerau District Council, the Returning Officer and the principal administrative officer for the Kawerau District shall be, respectively, the Returning Officer and the principal administrative officer for the former Kawerau District.