

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

130 FIRST MEETING

The first meeting of the Kawerau 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.

131 CHIEF EXECUTIVE

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

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

132 FUNCTIONS, DUTIES, AND POWERS

The functions, duties, and powers of the Kawerau 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 Kawerau District Council or the former authority; and

(iii) Any local Act relating to the Kawerau District Council or the former authority; 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 authority immediately before the coming into force of this clause.

133 ADMINISTRATION HEADQUARTERS

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

134 RATING

The system of rating in the Kawerau District shall be the capital value system.

135 TOWN AND COUNTRY PLANNING

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

(2) The district scheme and the proposed district scheme under the Town and Country Planning Act 1977 of the former authority shall be deemed to be the operative district scheme or, as the case may be, the proposed district scheme, of the Kawerau District.

(3) Where the 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 Kawerau District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Kawerau 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 the former authority by any person pursuant to any provision of the Town and Country Planning Act 1977, and:

(a) No hearing by the 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 Kawerau District Council and shall be dealt with by it accordingly; or

(b) Such application had been heard or otherwise disposed of by the 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 Kawerau District Council; or

(c) Such application had been either partly or fully heard or considered by the former authority but no decision thereon had been given, the application shall be heard or considered again by the Kawerau District Council or, as the case may require, a committee or delegate thereof.

136 CIVIL DEFENCE

The operative local civil defence plan for the former Kawerau District shall continue in force in the Kawerau District until a new plan is approved for the Kawerau District, in accordance with the Civil Defence Act 1983.

137 VESTING OF PROPERTY

All property, real and personal, vested in the corporation of the former authority is hereby vested in the corporation of the Kawerau District Council, subject to all existing encumbrances.

138 TITLE TO PROPERTY

Any reference, express or implied, to the 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 Kawerau District Council by clause 137 of this order shall, unless the context otherwise requires, be read as a reference to "The Kawerau District Council".

PART VIII

Opotiki District

139 CONSTITUTION OF OPOTIKI DISTRICT

There is hereby constituted a district, to be known as "The Opotiki District", which shall comprise the area delineated on S.O. Plan No. 8391 deposited with the Chief Surveyor of the Gisborne Land District.

140 OPOTIKI DISTRICT COUNCIL

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

141 INTERPRETATION

In this Part of this order:

"The former authorities" means—

(a) The former Opotiki District Council; and

(b) The Ohiwa Harbour Board,

and any reference to "former authority" shall be a reference to any of the former authorities named in this clause:

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

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

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

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

142 WARDS

(1) The Opotiki District is hereby divided into 4 wards.

(2) Those 4 wards are:

(a) The Opotiki Ward, comprising the area delineated on S.O. Plan No. 8394 deposited with the Chief Surveyor of the Gisborne Land District:

(b) The Waiotahi Ward, comprising the area delineated on S.O. Plan No. 8395 deposited with the Chief Surveyor of the Gisborne Land District:

(c) The Waioka-Otara Ward, comprising the area delineated on S.O. Plan No. 8393 deposited with the Chief Surveyor of the Gisborne Land District: