

(d) The Coast Ward, comprising the area delineated on S.O. Plan No. 8392 deposited with the Chief Surveyor of the Gisborne Land District.

143 MEMBERSHIP

(1) The Opotiki District Council shall consist of a Mayor and 10 members.

(2) The members of the Opotiki District Council to be elected at the first election of that Council shall be elected as follows:

(a) Four members shall be elected by the electors of the Opotiki Ward; and

(b) Two members shall be elected by the electors of the Waiotahi Ward; and

(c) Two members shall be elected by the electors of the Waiotahi-Otara Ward; and

(d) Two members shall be elected by the electors of the Coast Ward.

144 FIRST ELECTION

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

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

145 FIRST MEETING

The first meeting of the Opotiki 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.

146 CHIEF EXECUTIVE

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

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

147 FUNCTIONS, DUTIES, AND POWERS

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

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

(b) The functions, duties, and powers of the Ohiwa Harbour Board; 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.

148 ADMINISTRATION HEADQUARTERS

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

149 OHIWA HARBOUR ADVISORY COMMITTEE

(1) The Opotiki District Council and the Whakatane District Council shall, at least until the 1st day of November 1995, unite in appointing a joint committee to be known as "The Ohiwa Harbour Advisory Committee".

(2) The Ohiwa Harbour Advisory Committee shall consist of:

(a) Three persons appointed by the Opotiki District Council, whether or not those persons are members of that council; and

(b) Three persons appointed by the Whakatane District Council, whether or not those persons are members of that council; and

(c) Such other persons as may be appointed jointly by both councils.

(3) The function of the Ohiwa Harbour Advisory Committee shall be to advise the Opotiki District Council and the Whakatane District Council on matters affecting the Ohiwa Harbour and such other matters as may be referred to the Committee by those councils.

150 RATING

The system of rating in the Opotiki District shall be the land value system.

151 TOWN AND COUNTRY PLANNING

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

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

(3) Where the former Opotiki District Council 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 Opotiki District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Opotiki 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 Opotiki District Council 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 Opotiki 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 Opotiki 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 Opotiki District Council or, as the case may require, a committee or delegate thereof.

152 CIVIL DEFENCE

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

153 VESTING OF PROPERTY

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

(2) All property, real and personal, vested in the corporation of any former authority and situated in a district in which that former authority is not also a former authority, is hereby vested in the Opotiki District Council, subject to all existing encumbrances.