

148 RATING

(1) The system of rating in the Banks Peninsula District shall be the capital value system.

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

(3) Subject to section 103 of the Rating Powers Act 1988 until the 30th day of June 1992 or unless the Banks Peninsula District Council resolves otherwise and with the approval of the Local Government Commission pursuant to section 35(1)(k) of the Local Government Act 1974, the system of rating:

(a) In the area of the former Lyttelton Borough shall be the annual value system; and

(b) In those parts of the former Akaroa County in which the rates are made and collected on the land value system, that system shall apply.

149 TOWN AND COUNTRY PLANNING

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

(3) Where any former authority had, prior to its dissolution, begun the preparation of any review of its district scheme or any change or variation thereof, then, subject to any resolution of the Banks Peninsula District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Banks Peninsula 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 Banks Peninsula 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 Banks Peninsula 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 Banks Peninsula District Council or, as the case may require, a committee or delegate thereof.

150 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 Banks Peninsula District until a new plan is approved for the Banks Peninsula District, in accordance with the Civil Defence Act 1983.

151 VESTING OF PROPERTY

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

152 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 Banks Peninsula District Council by clause 151 of this order shall, unless the context otherwise requires, be read as a reference to "The Banks Peninsula District Council".

153 TRANSITIONAL COMMITTEE

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

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

(a) The Lyttelton Borough Council; and

(b) The Mount Herbert County Council; and

(c) The Wairewa County Council; and

(d) The Akaroa County Council.

154 MEMBERSHIP OF TRANSITIONAL COMMITTEE

The transitional committee shall consist of:

(a) Two members appointed by the Lyttelton Borough Council; and

(b) One member appointed by the Mount Herbert County Council; and

(c) One member appointed by the Wairewa County Council; and

(d) Two members appointed by the Akaroa County Council; and

(e) One officer appointed by each local authority, named in clause 153(2) of this order, who shall be non-voting members of the transitional committee; and

(f) The Chief Executive designate, when appointed in accordance with clause 157 of this order, who shall be a non-voting member of the transitional committee; and

(h) One member appointed by the New Zealand Council of Trade Unions, being an employee of a local authority named in clause 153(2) of this order, who shall be a non-voting member of the transitional committee.

155 NO CASTING VOTE

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

156 EXCLUSION OF NON-VOTING MEMBERS

The transitional committee for the Banks Peninsula 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.

157 OBLIGATION OF TRANSITIONAL COMMITTEE TO APPOINT CHIEF EXECUTIVE

The transitional committee for the Banks Peninsula District shall appoint a person to be the Chief Executive of the Banks Peninsula District Council.

158 PRINCIPAL LOCAL AUTHORITY

The principal local authority for the transitional committee for the Banks Peninsula District shall be the Akaroa County Council.

159 COSTS OF TRANSITIONAL COMMITTEE

The costs of the transitional committee for the Banks Peninsula District (including the costs of providing administrative services to it) shall be borne and paid by the local authorities named in clause 153(2) of this order either: