

(iii) Any local Act relating to the Ashburton 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.

### 170 ADMINISTRATION HEADQUARTERS

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

### 171 METHVEN COMMUNITY

(1) There is hereby constituted a community, to be known as "The Methven Community" comprising that area delineated on S.O. Plan No. 18135 deposited with the Chief Surveyor of the Canterbury Land District.

(2) The community board for the Methven Community shall consist of:

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

(b) The persons elected, from time to time, as members of the Ashburton District Council, representing the ward including the area of that community, and appointed by the Ashburton District Council to the community board.

(3) The Returning Officer for the first election of the community board for the community constituted by this clause shall be the Returning Officer for the Ashburton County.

(4) The first election of the community board for the community constituted by this clause shall be conducted by postal vote.

### 172 RATING

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

(2) Until the Valuer-General is able to produce a valuation roll for the Ashburton District, Part XIV of the Rating Powers Act 1988 shall apply as if the Ashburton 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 1994 or unless the Ashburton 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 in the area of the former Ashburton Borough shall be the land value system.

### 173 FINANCIAL DIVISIONS

(1) During such time as the system of rating in the Ashburton Ward differs from the system of rating in the rest of the Ashburton District, the district shall be divided into the following financial divisions:

(a) The Urban Financial Division, comprising the Ashburton Ward; and

(b) The Rural Financial Division, comprising the Central Rural Ward, the Mount Hutt Ward, the Rakaia Ward, and the Rangitata Ward.

(2) While the district is divided into financial divisions in accordance with the provisions of subclause (1) of this clause:

(a) The forestry operations undertaken by the former Ashburton County Council shall be operated in accordance with the agreement between the former Ashburton Borough Council and the former Ashburton County Council dated the 8th day of April 1988; any surplus income from such operations shall be made available as a contribution towards other expenditure in the rural division;

(b) The public library situated in the former Ashburton Borough shall be adopted and maintained as the Ashburton Library by the district council, and its facilities shall be made

available to all the residents of the Ashburton District. The library shall be financed by the urban division provided that the rural division shall contribute to the cost of library services on the following basis:

(i) For the 1989–1990 financial year—

An amount of which 25 percent shall be calculated under the terms of the agreement referred to in paragraph (a) of this subclause and the balance being 75% of 21.6% of the net cost chargeable to rates for all library services within the Ashburton District;

(ii) For the 1990–1991 financial year—

An amount equal to 23.1 percent of the net cost chargeable to rates for all library services within the Ashburton District;

(iii) For the 1991–1992 financial year—

An amount equal to 24.6 percent of the net cost chargeable to rates for all library services within the Ashburton District;

(iv) For the 1992–1993 financial year—

An amount equal to 26.1 percent of the net cost chargeable to rates for all library services within the Ashburton District;

(v) For the 1993–1994 financial year—

An amount equal to the percentage that the number of rural members (adult and children) bears to the total membership of the Ashburton Library of the net cost chargeable to rates for all library services within the Ashburton District.

(c) The proportions of the contribution from each financial division to the net payments of a general nature applicable to the whole district, shall be on such basis as is agreed upon by the uniting authorities in accordance with the agreement referred to in paragraph (a) of this subclause.

(d) The level of rating in each financial division shall be determined by the sharing of payments of a general nature, and all other receipts and payments shall be allocated to the financial division from which the income is derived or in which the expenditure is incurred.

### 174 TOWN AND COUNTRY PLANNING

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

(2) The operative district schemes and the proposed district schemes under the Town and Country Planning Act 1977 of any former authority shall be deemed to be the operative district scheme, or as the case may be, the proposed district scheme, of the Ashburton 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 Ashburton District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Ashburton 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 Ashburton 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 Ashburton District Council; or