

communities constituted by this clause shall be conducted by postal vote.

221 ADMINISTRATION HEADQUARTERS

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

222 SERVICE DELIVERY CENTRE

The Mackenzie District Council shall, at least until the 1st day of November 1995, establish and maintain a service delivery centre in Twizel, in accordance with the provisions of the Third Schedule to this order.

223 RATING

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

(2) Subject to section 103 of the Rating Powers Act 1988, until the 30th day of June 1994 or unless the Mackenzie District Council otherwise resolves and with the approval of the Local Government Commission pursuant to section 35(1)(k) of the Local Government Act 1974, the land value system of rating shall continue to apply in those areas of the former Mackenzie County in which that system of rating applied, before the coming into force of this clause.

224 TOWN AND COUNTRY PLANNING

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

(2) The operative district schemes and the proposed district schemes 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 Mackenzie 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 Mackenzie District Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Mackenzie 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 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 Mackenzie 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 Mackenzie 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 Mackenzie District Council or, as the case may require, a committee or delegate thereof.

225 CIVIL DEFENCE

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

226 VESTING OF PROPERTY

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

227 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 Mackenzie District Council by clause 226 of this order shall, unless the context otherwise requires, be read as a reference to "The Mackenzie District Council".

228 CONSULTATION WITH MOUNT NESSING RESERVE BOARD

(1) The Mackenzie County Council shall consult with the Mount Nessing Reserve Board for the purpose of discussing the possible establishment of a committee of management for the Mount Nessing Reserve.

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

PART XI

Waimate District

229 CONSTITUTION OF WAIMATE DISTRICT

There is hereby constituted a district, to be known as "The Waimate District", which shall comprise the area delineated on S.O. Plan No. 18106 deposited with the Chief Surveyor of the Canterbury Land District.

230 WAIMATE DISTRICT

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

231 INTERPRETATION

In this Part of this order:

"The former authorities" means—

- (a) The former Waimate District Council; and
- (b) The Elephant Hill River Board; and
- (c) The Wainono Drainage Board; and
- (d) The Morven Reserve Board,

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

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

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

"The Waimate District" means the Waimate District constituted by this order:

"The Waimate District Council" means the Waimate District Council constituted by this order.

232 WARDS

(1) The Waimate District is hereby divided into 9 wards.

(2) Those 9 wards are:

(a) The Hakataramea Ward, comprising the area delineated on S.O. Plan No. 18107 deposited with the Chief Surveyor of the Canterbury Land District:

(b) The Upper Pareora Ward, comprising the area delineated on S.O. Plan No. 18108 deposited with the Chief Surveyor of the Canterbury Land District:

(c) The Upper Waihao Ward, comprising the area delineated on S.O. Plan No. 18109 deposited with the Chief Surveyor of the Canterbury Land District:

(d) The Lower Pareora Ward, comprising the area delineated on S.O. Plan No. 18110 deposited with the Chief Surveyor of the Canterbury Land District: