

Council in existence immediately before the coming into force of this Part of this order.

“The Napier City” means the Napier City constituted by this order.

“The Napier City Council” means the Napier City Council constituted by this order.

## 54 WARDS

(1) The Napier City is hereby divided into 3 wards:

(2) Those 3 wards are:

(a) The Ahuriri Ward, comprising the area delineated on S.O. Plan No. 9831 deposited with the Chief Surveyor of the Hawke's Bay Land District:

(b) The Onekawa Ward, comprising the area delineated on S.O. Plan No. 9832 deposited with the Chief Surveyor of the Hawke's Bay Land District:

(c) The Taradale Ward, comprising the area delineated on S.O. Plan No. 9833 deposited with the Chief Surveyor of the Hawke's Bay Land District.

## 55 MEMBERSHIP

(1) The Napier City Council shall consist of a Mayor and 12 members.

(2) The members of the Napier City 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 Ahuriri Ward; and

(b) Four members shall be elected by the electors of the Onekawa Ward; and

(c) Four members shall be elected by the electors of the Taradale Ward.

## 56 FIRST ELECTION

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

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

## 57 FIRST MEETING

The first meeting of the Napier City 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.

## 58 CHIEF EXECUTIVE

(1) The Chief Executive of the Napier City Council shall be the person appointed to that position in accordance with clause 70 of this order.

(2) The Chief Executive shall be the principal administrative officer of the Napier City Council.

## 59 FUNCTIONS, DUTIES, AND POWERS

The functions, duties, and powers of the Napier City 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 Napier City Council or any of the former authorities; and

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

(b) The functions, duties, and powers of a harbour board in respect of the provision and maintenance of those marinas, wharves, jetties, boat ramps and other harbour facilities,

formerly the responsibility of the Hawke's Bay Harbour Board and transferred to the Napier City Council by Part VII of this order; 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.

## 60 ADMINISTRATION HEADQUARTERS

The administration headquarters of the Napier City Council shall be located in Napier.

## 61 RATING

(1) The system of rating in the Napier City shall be the land value system.

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

## 62 TOWN AND COUNTRY PLANNING

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

(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 Napier City.

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

## 63 CIVIL DEFENCE

The operative local civil defence plans for the districts of the former authorities shall continue in force in the respective parts of Napier City until a new plan is approved for Napier City, in accordance with the Civil Defence Act 1983.

## 64 VESTING OF PROPERTY

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

(2) All property, real and personal, vested in the corporation of any former authority, other than the Hawke's Bay County Council, and situated in a district in which that former authority is not also a former authority, is hereby vested in the