

11. For the period the wards specified in clause 4 are to be maintained, the council of the said City (hereinafter referred to as the "said council") shall comprise 14 members exclusive of the Mayor, and ward representation shall be as follows:

Takapuna Ward	6 members
Glenfield Ward	6 members
Albany Ward	2 Members

Provided, however, that following the first election of the said council the representation of the Albany Ward shall be reviewed in accordance with the provisions of section 23 (1) (c) of the Municipal Corporations Act 1954, to allow for an increased membership for that ward not exceeding a total of six members.

12. The first election of members of the said council shall be held on the date fixed for the triennial general elections to be held in October 1974 pursuant to the provisions of the Local Elections and Polls Act 1966.

13. Until the members of the said council come into office following the triennial election of councillors referred to in clause 12 the said council shall comprise the Mayor of the City of Takapuna holding office on the date immediately prior to the date on which the alteration of boundaries herein provided takes effect and 22 Councillors, as follows:

- (a) 12 Councillors to represent the Takapuna Ward who shall be the elected members of the Takapuna City Council holding office on the date immediately prior to the date on which the alteration of boundaries herein provided takes effect;
- (b) 9 Councillors to represent the Glenfield Ward of whom 3 shall be the members of the Waitemata County Council elected to represent the Glenfield Riding of Waitemata County and holding office on the date immediately prior to the date on which the alteration of boundaries herein provided takes effect, and 6 shall be members of the Glenfield County Town Committee holding office on the said date who shall be appointed by the Waitemata County Council on the nomination of the said County Town Committee;
- (c) One Councillor to represent the Albany Ward who shall be the member of the Waitemata County Council elected to represent the Albany Riding of Waitemata County and holding office on the date immediately prior to the date on which the alteration of boundaries herein provided takes effect.

14. Notwithstanding the provisions of sections 69 and 73 of the Municipal Corporations Act 1954, any councillor who is personally present at a meeting of the interim council may demand that a poll shall be taken on any question or proposal before the interim council and thereupon the following provisions shall apply:

- (a) The poll shall be conducted by the Clerk of the Council, who shall act as scrutineer, and the votes of councillors shall be recorded as voting either for or against the question or proposal as the case may be;
- (b) On each such question or proposal councillors shall be entitled to record the following votes:
 - (i) The Mayor and 12 Councillors representing the Takapuna Ward 1 vote each
 - (ii) the 10 councillors representing the Glenfield and Albany Wards 1.3 votes each;
- (c) Every poll on any such question or proposal shall be decided by the majority of the votes recorded;
- (d) In the event of an equality of votes for and against any question or proposal submitted to a poll in accordance with the foregoing provisions, the matter shall be deferred for determination by the council elected pursuant to the provisions of clause 12 hereof unless, with the approval of the interim council, it is submitted to a further poll in an amended form.

15. The transfer of any members of the staff of the Waitemata County Council to the service of the said council shall be deemed to be transfers of permanent employees within the meaning of section 4 of the Local Authorities (Employment Protection) Act 1963, and the provisions of that Act shall, with any necessary modifications, apply accordingly.

16. So far as they are applicable and with the necessary modifications the provisions of section 99A of the Land Transfer Act 1952, shall apply to the alteration of boundaries herein provided.

17. All the valuation rolls, electors' lists, electors' rolls and rate records in force, within the City of Takapuna and the area of the County of Waitemata included in the City,

immediately prior to the date on which the alteration of boundaries herein provided takes effect shall be deemed to be the valuation rolls, electors' lists, electors' rolls and rate records of the said City until new valuation rolls, electors' lists, electors' rolls and rate records are made for the said City and any action or procedure commenced or in progress in respect of the preparation of those rolls, lists and records and not completed by the date this Order comes into force may be continued and completed by the said council, and on completion the said rolls, lists and records shall be rolls, lists and records of the said City.

18. Except as otherwise provided in this Order, the said council shall have and may exercise all the powers which were previously exercised by the Waitemata County Council in respect of the areas described in clause 2 hereof or would have been so exercised by that Council if it had remained in control of those areas, and the said council shall be subject to the same duties, obligations and liabilities as were or would similarly have been imposed on the Waitemata County Council, and all actions, suits and proceedings pending by or against the County of Waitemata in respect of the aforesaid areas may be carried on and prosecuted by or against the Corporation of the said City.

19. For the purposes of the Local Authorities (Petroleum Tax) Act 1970, in respect of implementation of this local scheme—

- (a) The district of the said City shall be deemed always to have been a constituent district of the Auckland Tax area;
- (b) The rate revenue of the said City for the previous financial year shall be the sum of the rate revenue produced from the City of Takapuna as existing prior to the alteration of boundaries, together with that part of the rate revenue of Waitemata County produced from the area of that county now to form part of the said City;
- (c) The rate revenue of the former Waitemata County for the previous financial year shall be reduced by the aforesaid amount of rate revenue derived from that part of Waitemata County included in the said City.

20. Except as otherwise provided herein or in the Local Government Commission Act 1967, the provisions of the Municipal Corporations Act 1954, shall apply to the alteration of boundaries herein provided.

21. (a) Notwithstanding anything to the contrary contained in this scheme the inclusion of the areas described in the First and Second Schedules within the said City shall be deemed to have taken place for all accounting, rating and other financial purposes including the apportionment of assets and liabilities as from and including the 1st day of April 1974.
- (b) Notwithstanding the provisions of subclause (a) of this clause for the period between the 1st day of April 1974 and the day of coming into office of the interim council referred to in clause 13 of this scheme, the Waitemata County Council shall be and is hereby authorised to do all things necessary relating to accounting, rating, and other financing insofar as they affect the areas of the Waitemata County to be included within the said City as if the said alteration of boundaries had not taken place, and all monies due to or payable by the said council in respect of the areas described in the First and Second Schedules hereto during this period shall be due to and payable by the Waitemata County Council as agent for and on behalf of the said council.
- (c) The provisions of this clause shall in like manner apply to the Takapuna City Council in respect of its district as existing prior to the alteration of boundaries herein provided being effected.
- (d) All transactions carried out in terms of subclauses (b) and (c) of this clause shall be accountable to the interim council after the said interim council takes office.

22. The County of Waitemata is hereby abolished and the Waitemata County Council is hereby dissolved.

FIRST SCHEDULE

ALL that area in the North Auckland Land District bounded by a line commencing at a point on the right bank of Hellyers Creek in Block VII, Waitemata Survey District, due south of the southernmost corner of Lot 26, D.P. 2093, and proceeding due north to and north-westerly along the south-western boundaries of that Lot 26 to the junction with the westerly production of a right line parallel to and 50.29