

- (ix) The councillor representing Kaipara Riding: 1 vote.
  - (x) The councillor representing Puhoi Riding: 1 vote.
  - (xi) The 2 councillors representing Hibiscus Coast Riding: 2.4 votes each.
  - (xii) The councillor representing Wainui Riding: 2.4 votes.
  - (xiii) The councillor representing Kaukapakapa Riding: 2.4 votes.
  - (xiv) The councillor representing Kumeu Riding: 2.4 votes.
- (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 9 hereof unless, with the approval of the interim council, it is resubmitted to a further poll in an amended form.
13. For the purpose of rating the County of Rodney shall for a period of not less than 4 years nor more than 10 years be divided into two Divisions to be known as:
- (a) The Northern Division comprising the areas described in the Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, and Eleventh Schedules hereto (being substantially the district of the former County of Rodney);
  - (b) The Southern Division comprising the areas described in the Twelfth, Thirteenth, Fourteenth, and Fifteenth Schedules hereto (being substantially the former Wainui, Kaukapakapa, Orewa and Hibiscus Coast Ridings, and the major part of the Kumeu Riding of the County of Waitemata).
14. The provisions of the Counties Act 1956 as to the making and levying of the general rate separately in each Riding of the county shall, as far as they are applicable and with the necessary modifications, apply to the Southern Division of the said county.

15. The system of rating shall be on the basis of the unimproved or land value as the case may be. Until such time as a revised valuation of the said county shall come into effect the provisions of the Rating Act 1967, shall, where applicable and with the necessary modification, apply to the said county as if for the purposes of Part IX of that Act the said county were a "Special Purpose Authority" and each Division hereinbefore provided were a "constituent district" within the provisions of that Act.

16. 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.

17. 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.

18. (a) Notwithstanding anything to the contrary contained in this order the inclusion of the Kumeu, Wainui, Kaukapakapa, and Hibiscus Coast Ridings of the County of Waitemata within the County of Rodney 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 herein, 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 said four Ridings as if the said inclusion within the County of Rodney had not taken place, and all monies due to or payable by the said interim council in respect of the said area during this period shall be due to and payable by the Waitemata County Council as agent for and on behalf of the said interim council;

(c) The provisions of this clause shall apply in like manner to the Otamatea County Council and the Rodney County Council in respect of that portion of the Otamatea County to be included within the Rodney County;

- (d) The provisions of this clause shall apply in like manner to the Rodney County Council and the Otamatea County Council in respect of that portion of the Rodney County to be included within the Otamatea County;
- (e) All transactions referred to in subclauses (b) and (c) of this clause shall be accountable to the said interim council after that council takes office;
- (f) All transactions referred to in subclause (d) of this clause shall be accountable to the Otamatea County Council after the said interim council takes office.

19. All the valuation rolls, electors' lists, electors' rolls and rate records in force within the area comprising the said county 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 county until the new valuation rolls, electors' lists, electors' rolls and rate records are made for the said county 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 county.

20. Except as otherwise provided in this Order, the said council shall have and may exercise all the powers which were previously exercised by the Otamatea County Council and the Waitemata County Council in respect of the areas described in clauses 2, 3 and 5 hereof or would have been so exercised by those Councils if they 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 Otamatea County Council and the Waitemata County Council, and all actions, suits and proceedings pending by or against the Corporations of the County of Otamatea and the County of Waitemata in respect of the aforesaid areas may be carried on and prosecuted by or against the Corporation of the said county.

21. All bylaws in force within the area comprising the said county immediately prior to the date on which the alteration of boundaries herein provided takes effect shall continue in force in the respective parts of the said county until altered or revoked in the manner provided by the Counties Act 1956.

22. Except as otherwise provided herein or in the said Act the provisions of the Counties Act 1956, shall apply to the alteration of boundaries herein provided.

23. For the purposes of the Local Authorities (Petroleum Tax) Act 1970, in respect of implementation of this order:

- (a) The district of the said county shall be deemed always to have been a constituent district of the Auckland Tax area;
- (b) The rate revenue of the said county for the previous financial year shall be the sum of that part of the rate revenue produced from the area of Rodney County forming part of the said county together with that part of the rate revenue of Waitemata County produced from the area of that county forming part of the said county;
- (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 the part of Waitemata County now included in the said county.

#### FIRST SCHEDULE

##### AREA TO BE EXCLUDED FROM WAITEMATA COUNTY AND INCLUDED IN RODNEY COUNTY

ALL that area in the North Auckland Land District bounded by a line commencing in Block I, Waitakere Survey District, at the junction of the middle of the Waitakere River with the sea coast of the Tasman Sea and proceeding north-westerly along that sea coast to the South Head of the Kaipara Harbour; thence easterly generally along the southern shores of that Harbour to and up the middle of the Makarau River and the middle of the Rauhori Stream to a point in line with the north-eastern boundary of Allotment N. 64, Makarau Parish, in Block III, Kaipara Survey District; thence along a right line to and along that north-eastern boundary to and along the north-western boundaries of Allotments N. 186 and N. 187, Lot 3, D.P. 11758, that part of Allotment 188 shown on D.P. 2543 to the northernmost corner of that allotment, in Block XIII, Mahurangi Survey District, all the aforesaid allotments being of Makarau Parish; thence southerly along the eastern boundary of Allotment 188, Makarau Parish, along a right line across Rauner Road and the Newmarket-Opua Railway, to and along the eastern boundaries of that part of