

12. The following sections of the Municipal Corporations Act 1954 shall apply to the district as if it was a borough, and to the district council as if it was a borough council; section 61 (which makes special provision where the same person is elected to be both mayor and councillor), section 108A (which relates to the consolidation of special rates), section 219A (which relates to betterment contributions when water courses are covered), section 237A (which relates to tree roots obstructing public drains), section 302, 303, and 304 (which relate to the prevention of overcrowding in buildings, the illegal occupation of buildings and the removal of buildings illegally erected), and section 330A (which relates to the erection and sale of blocks of flats by a local authority.)

13. For the purposes of any other enactment the district shall be a county and the district council shall be a county council.

14. The functions of the Whakatane Harbour Board shall become functions of the district council.

HARBOUR COMMITTEE

15. The district council shall forthwith establish and maintain a committee of the council, to be known as the "Whakatane Harbour Committee", to exercise such powers and duties as may be delegated to it by the council pursuant to Part V of the Counties Act 1956 (which relates to committees).

16. Until the 1977 triennial general election of councillors, the Whakatane Harbour Committee shall comprise the members of the Whakatane Harbour Board holding office immediately prior to its dissolution, together with two other persons to be appointed by the district council, and the Chairman of the Whakatane Harbour Board then holding office shall be the Chairman of that Committee.

RATING

17. The system of rating within the district shall be the land value system.

18. All the valuation rolls and rate records in force in the County of Whakatane and the Borough of Whakatane shall continue in force in the district until new valuation rolls and rate records are made for that district.

FINANCE GENERALLY

19. All that assets, liabilities, and engagements of the County of Whakatane, the Borough of Whakatane, and the Whakatane Harbour Board shall become the assets, liabilities, and engagements of the district; and all proceedings pending by or against the Whakatane Borough Council, the Whakatane County Council, and the Whakatane Harbour Board shall be carried on by or against the corporation of the district.

Provided that the assets and liabilities of the municipal electricity undertaking of the Borough of Whakatane shall be applicable only for the benefit of or chargeable only against the residents and consumers within the area of supply of the Whakatane Borough Council (Electric Lines Licence 1963 as described in *New Zealand Gazette* No. 26 of 2 May 1963 at p. 580) and as may from time to time be amended pursuant to the Electricity Act 1968.

20. Money and income as may from time to time be derived from the assets of the Whakatane Harbour Board succeeded to by the district council or from the proceeds of the realisation of any such assets, shall be applied to: the maintenance and development of the Whakatane Harbour; to the maintenance and improvement of the endowment lands succeeded to by the district council; and for such other purposes as the district council may decide.

21. For accounting purposes, the harbour functions of the Whakatane Harbour Board succeeded to by the district council shall be a separate activity; and the income derived from the endowment lands succeeded to by the district council shall be deemed to be revenue derived from that activity.

BYLAWS

22. All the bylaws in force in the County of Whakatane and the Borough of Whakatane shall continue in force in the district; but every such bylaw shall remain in force in the area only in which it was in force prior to the union and every such bylaw, the application of which cannot be restricted to either such area, shall be deemed to have been revoked.

23. All bylaws of the Whakatane Harbour Board in force on the date of its dissolution shall, to the extent that they do not conflict with any other bylaw of the district council, be deemed to be bylaws of the district council.

DISTRICT PLANNING SCHEMES

24. The district planning schemes and scheme statements and codes of ordinances in force in the County of Whakatane and the Borough of Whakatane shall be deemed to be the district planning scheme and scheme statement and code of ordinances of the district council, and the district council shall not be required forthwith to prepare a new district planning scheme for the whole of the Whakatane District.

HARBOUR LIMITS

25. All harbour limits in force on the date of dissolution of the Whakatane Harbour Board shall become the harbour limits for the purposes of the harbour functions of the district council.

PETROLEUM TAX

26. For the purposes of the Local Authorities (Petroleum Tax) Act 1970, the district council shall be the successor of the Whakatane Borough Council and the Whakatane County Council.

SCHEDULE

MATATA WARD

ALL that area in the South Auckland Land District Whakatane County, containing 321 square kilometres, more or less, bounded by a line commencing at the intersection of the western boundary of the Whakatane County, as described in *New Zealand Gazette* 1970, page 198, with the sea coast in Block IV, Waihi South Survey District, and proceeding south-easterly along that coast to the middle of the mouth of the Rangitaiki River in Block V, Awaateatua Survey District; thence generally south-westerly along the middle of that river to a point in line with the north-eastern boundary of Lot 3, D.P. 11085; thence generally westerly to and along that side and the north-western boundary of the said Lot 3, the northern boundary of Lot 1, D.P. 13868, the generally western boundaries of Lots 1 and 2, D.P. 13868 to a point in line with the northern boundary of part Lot 1, D.P.S. 1069; thence north-easterly to and along that boundary and its production to the middle of the Omeheu Canal in Block III, Awaateatua Survey District; thence generally southerly up the middle of that canal to a point in Block II, Rangitaiki Upper Survey District in line with the south-eastern boundary of Lot 1, D.P. 21027, to and along that boundary and the south-eastern boundaries of Lots 2 and 3, D.P. 21027, and the last-mentioned boundary produced to the middle of the Matata-Edgecumbe Road; thence south-easterly along the middle of that road to a point in line with the northern boundary of Lot 1, D.P. 24954, situated in Block II, Rangitaiki Upper Survey District; thence westerly, southerly, and south-easterly along the said northern boundary and the western and south-western boundaries of the said Lot 1 to and south-westerly along the generally south-eastern boundaries of part Lot 2, and Lots 3 and 5, D.P. 19552 to the southern corner of the said Lot 5; thence south-easterly and south-westerly along the north-eastern boundary of Lot 1, D.P. 21931 and the south-eastern boundaries of that Lot 1, and Lot 2, D.P. 21931 to the southern corner of the said Lot 2; thence south-easterly and south-westerly along the north-eastern and south-eastern boundaries of Lot 2, D.P. 12850, and the last-mentioned boundary produced to the middle of Otakiri Road; thence eastwards along the middle of that road to a point in line with the western boundary of Lot 2, D.P. 14867; thence southerly to and along the said western boundary to and easterly along the southern boundary of that lot to and southerly along the eastern boundary of Lot 3, D.P. S. 4182, to the south-eastern corner of that lot; thence generally westerly along the southern boundaries of the said Lot 3 and Lot 2, D.P. S. 4182 to the south-western corner of the said Lot 2; thence north-westerly along a right line across Grieve's Road to the south-eastern corner of Allotment 307, Parish of Matata, situated in Block VI, Rangitaiki Upper Survey District; thence westerly along the southern boundary of the said Allotment 307 to the north-western corner of Allotment 308, Parish of Matata; thence southerly along the western boundaries of Allotments 308 and 309, Parish of Matata to the southernmost corner of the said 309; thence south-westerly along the south-eastern boundaries of part Lot 4, and Lots 5, 20 and 6, D.P. 7474, crossing Military Road and the Awakaponga-Kawerau Railway, to the southernmost corner of the said part Lot 6; thence north-westerly along the north-eastern boundary of Section 31, Block V, Rangitaiki Upper Survey District, and its production to the middle of the Tarawera River; thence north-westerly down the middle of the said river to a point in line with the southern boundary of Lot 1, D.P. S. 17767; thence westerly to and along the said southern boundary to the middle of the end of a public road; thence generally south-westerly along the middle of the said road to a point in line with the northern boundary of part Allotment 164, Parish of Matata, to and along that northern boundary and the north-western boundary of the said part Allotment 164 and its production to the middle of Braemar Road; thence north-westerly along the middle of that road to a point in line with the northern boundary of Section 21, Block V, Rangitaiki Upper Survey District; thence westerly to and along the northern boundaries of that Section and Sections 23, 19, part section 2, and Section 18, Block V, Rangitaiki Upper Survey District, twice crossing McIvor Road, to the north-western corner of the said Section 18; thence northerly and westerly along the eastern and northern boundaries of Section 22, Block