

**7. First meeting of council**—The first meeting of the council shall be convened by the person holding the office of Town Clerk of the Rotorua City Council immediately before the commencement of this order.

**8. Mayor and Principal Officer**—The duties, powers, and functions of the Mayor of the former City of Rotorua and the chairman of the former County of Rotorua shall be exercised by the Mayor of the council, and the duties, powers, and functions of the Town Clerk of the former City of Rotorua and of the County Clerk of the former County of Rotorua shall be exercised by the principal officer of the council.

**9. Vacancy in Council**—Notwithstanding any other provision in this order, if any vacancy occurs in the council, the provisions of the Local Elections and Polls Act 1976 as to the filling of extraordinary vacancies shall apply.

**10. Community and district community council of Ngongotaha**—The community and district community council of Ngongotaha shall enure, as if constituted by the council, until the triennial general election of members of local authorities to be held in 1983 and shall then cease to exist.

**11. Municipal Corporations Act 1954 and Counties Act 1956 applied**—Sections 219A, 237A, 302, 303 and 304 of the Municipal Corporations Act 1954 shall apply to the district as if it were a borough and to the district council as if it were a borough council and except as otherwise provided in this order the provisions of the Counties Act 1956 and of any other Act shall apply to the district as if it were a county and to the council as if it were a county council.

**12. Rating**—(1) The system of rating within the district shall be the land value system.

(2) Notwithstanding anything in section 138 of the Local Government Act 1974, until 31 March 1994 the provisions of section 137 of that Act shall apply in the district and to the council as if the district were a county and the council were a county council, and as if the Urban Division and the Rural Division were each a riding in which the general rate was made and levied separately at the commencement of Part IX of that Act, and as if every rate to be made and levied by the council were a general rate.

(3) Notwithstanding anything in section 175 of the Local Government Act 1974 no special rate shall be consolidated over an area comprising both all or part of the Urban Division and all or part of the Rural Division.

(4) Nothing in this order shall prevent the levying of any rate for catchment or land drainage purposes on a graduated or uniform scale.

**13. Finance**—(1) The special funds of the uniting authorities shall be expended only for the purposes for which they were set aside and, after provision has been made for all liabilities, for the benefit of the division in which they originated; and money requiring to be paid into any special fund to meet any deficiency shall be found from within the division in respect of which that special fund originated.

(2) For all accounting and other financial purposes the union shall be deemed to have taken place at the commencement of the financial year in which the provisions of this order come into force.

**14. Petroleum tax**—For the purposes of Part XI of the Local Government Act 1974, the council is hereby declared to be the successor of the uniting authorities.

**15. General transitional provisions**—Except as otherwise provided in this order the council shall have, and may exercise and be responsible for—

- All the powers, duties, acts of authority, and functions which were previously exercised by the uniting authorities or would have been so exercised by them if they had remained in existence or in control of their districts;
- All the liabilities, obligations, engagements, and contracts which were previously the responsibility of the uniting authorities, or for which they would have been responsible if they had remained in existence or in control of their districts;
- All actions, suits, and proceedings pending by or against the uniting authorities or that would have been the responsibility of the uniting authorities if they had remained in existence or in control of their districts.

**16. Property**—All property, real and personal, vested in the corporations of the districts of the uniting authorities, is hereby vested, subject to all existing encumbrances, in the corporation of the district council.

**17. Bylaws**—All bylaws in force in the districts of the uniting authorities which are applicable to the altered circumstances shall become bylaws of the council, and, until revoked

or altered by the council, every such bylaw shall remain in force in the area in which it was in force immediately before the commencement of this order, and every bylaw which cannot be restricted to that area or which is not applicable to the altered circumstances shall be deemed to be revoked by this order.

**18. Rates or Levies**—All rates or levies and other money payable in respect of the uniting authorities are hereby due and payable to the council.

**19. Creditors**—Subject to section 37F of the Local Government Act 1974, the rights or interests of creditors of any district affected by this order shall not be affected.

**20. Records**—The valuation rolls, electoral rolls, and rate records in force in the districts of the uniting authorities shall continue in force in the district until such rolls or records are made by the council, and until that time Part IX of the Rating Act 1967 shall apply as if the district was the district of a special-purpose authority and the areas from which it was formed were constituent districts.

## FIRST SCHEDULE

### ROTORUA WARD

ALL that area in the South Auckland Land District bounded by a line commencing at a point on the, generally, western shore of Lake Rotorua, being the easternmost corner of Kawaha 3G in Block XIII, Rotoiti Survey District, and proceeding, generally, south-easterly along the said shore to a point in line with the south-eastern boundary of Tahererauti 2 situated in Block I, Tarawera Survey District; thence north-easterly along the production of the said boundary for a distance of 14.37 metres, bearing 46° 01' 40"; thence south-easterly along a right line bearing 115° 49' 30" to the shore of Lake Rotorua, aforesaid; thence, generally, south-easterly along that shore to the left bank of the Puarenga Stream; thence, generally, south-westerly along that bank to a point in line with the, generally, western boundary of Section 6, Block I, Tarawera Survey District; thence, generally, southerly to and along that boundary to the easternmost corner of Whakarewarewa 3 Section 1B, Lot 71; thence south-westerly along the south-eastern boundaries of the said Lot 71, Whakarewarewa 3 Section 1B, Lots 62B, 80 and 72, Section 7, Block I, Tarawera Survey District, and Whakarewarewa 2B and the last-named boundary produced across the Puarenga Stream to and along the south-eastern boundary of Part Lot 3, D.P. 23567, to the easternmost corner of Section 3, Block V, Tarawera Survey District; thence north-westerly along the north-eastern boundary of the said Section 3, and its production across State Highway 5 to and along the north-eastern boundaries of Part Tihiotonga B and Lot 86, D.P. S. 20016, to the northernmost corner of the said Lot 86; thence, generally, south-westerly along the, generally, western boundaries of that Lot and the generally north-western boundaries of Lots 85 and 84, D.P. S. 20018, and Lots 83 and 82, D.P. S. 20017, to the western corner of the last-named Lot; thence north-westerly and westerly along the north-eastern and northern boundaries of Parts Ngatiwhakauae Amalgamated Block and the northern boundaries of Parts Tihiotonga A to and north-easterly along the south-eastern boundary of the said Part A to the right bank of the Utuhina Stream; thence, generally, north-easterly and, generally, north-westerly along that bank to a point in line with the south-western boundary of Part Kaitao Rotohokahoka 3D; thence north-westerly to and along that boundary, crossing Great West Road to the westernmost corner of the said Part 3D, along a right line to the southern corner of Lot 10, D.P. S. 3153, along the south-western boundaries of that Lot and Lots 11, 20, 12, 13 and 14, D.P. S. 3153, along a right line to and along the south-western boundaries of Lots 15, 16, 17 and 18, D.P. S. 3153, to the south-western corner of the said Lot 18, along a right line to the eastern corner of Lot 2, D.P. 35709, along the north-eastern boundary of the said Lot 2 to its northern corner and along a right line to the southern corner of Part Rotohokahoka D South 11 as shown on D.P. 18432; thence northerly along the western boundary of the said land to the southern side of Paradise Valley Road; thence easterly along that side to a point in line with the north-western boundary of Lot 1, D.P. 31483; thence, generally, north-easterly, to and along that boundary, the western and northern boundaries of Lot 1, D.P. S. 7516, the northern boundaries of Lots 5 and 4, D.P. S. 8697, the western boundaries of Lot 1, D.P. S. 12701, Lots 1 and 2, D.P. S. 12759, the northern boundaries of the said Lot 2, the north-western boundaries of Lots 3 and 4, D.P. S. 12759, the northernmost boundary of the said Lot 4, and its production to the south-eastern side of Ngongotaha Mountain Road; thence, generally, north-easterly along that side and the south-eastern boundary of Rotohokahoka D North 4D to the south-western side of State Highway 5; thence north-