

amended by the Order in Council dated the 2nd day of December 1974 and published in *Gazette* of 19 December 1974, No. 122, at page 2978, appointing 5 non-elective members of the Hauraki Catchment Board, by deleting the words "District Civil Engineer, Ministry of Works and Development, Hamilton".

P. G. MILLEN, Clerk of the Executive Council.

(P.W. 75/10)

*The Union of Riverton Borough and Wallace County and
Dissolution of Riverton Harbour Board Order 1983*

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 21st day of March 1983

Present:

THE RIGHT HON. D. MACINTYRE PRESIDING IN COUNCIL

PURSUANT to the Local Government Act 1974, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order:

ORDER

1. Title and commencement—(1) This order may be cited as the Union of Riverton Borough and Wallace County and Dissolution of Riverton Harbour Board Order 1983.

(2) This order shall come into force on the 1st day of April 1983.

PART I

CONSTITUTION

2. Union of Riverton Borough and Wallace County—Riverton Borough and Wallace County are hereby united into one district under the name of "The Wallace County".

3. Dissolution of Riverton Borough Council—The Riverton Borough Council is hereby dissolved.

4. Constitution of Riverton Community—(1) The area of Riverton Borough existing immediately before the commencement of this order is hereby constituted a community under the name of "The Riverton Community".

(2) The Riverton Community shall form part of the Longwood Riding of Wallace County.

5. Constitution of Riverton Community Council—(1) A community council under the name of "The Riverton Community Council" is hereby established for Riverton Community.

(2) The Riverton Community Council shall consist of 6 members.

6. Transitional membership of Riverton Community Council—Notwithstanding the provisions of subclause (2) of clause 5 of this order, until the members of the Riverton Community Council to be elected at the 1983 triennial general election of members of local authorities come into office, the members of the Riverton Community Council shall comprise the persons who held office as the mayor and members of the Riverton Borough Council immediately before the commencement of this order and the person who held office as the mayor of Riverton Borough immediately before the commencement of this order shall be the chairman of the Riverton Community Council.

PART II

FINANCE

7. Transfer of funds—Notwithstanding anything in this order:

- (a) The account balances of Riverton Borough shall become the balances of the Riverton Community account; and
- (b) The special endowment and bequest funds of the corporation of Riverton Borough shall be used only for the purposes for which they were set aside and for the benefit only of Riverton Community.

8. Financial year—For 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.

9. Rating—The system of rating in Wallace County shall continue to be the capital value system except in Nightcaps, Otatau, Te Anau, Tuatapere, and Riverton Communities where the system of rating shall continue to be the land value system.

10. Petroleum tax—(1) For the purposes of Part XI of the Local Government Act 1974, the Wallace County Council shall be the successor of the Riverton Borough Council.

(2) The Wallace County Council shall make available to and credit to the Riverton Community account an amount of petrol tax revenue calculated in accordance with the total rates levied within the Riverton Community.

PART III

TRANSITIONAL PROVISIONS

11. Town and country planning—The Wallace County Council shall not be required to prepare a new district scheme for Wallace County until the existing Wallace County Council district planning scheme is next due for review and until that time the provisions of the former Riverton Borough Council operative district planning scheme shall apply with respect to Riverton Community.

12. Transfer of powers, functions, and other responsibilities—The Wallace County Council in respect of the district of Riverton Borough existing immediately before the commencement of this order:

- (a) Shall have and may exercise and be responsible for all the powers, duties, acts of authority, and functions which were previously exercised, or which would have been so exercised, by the Riverton Borough Council;
- (b) Shall have and may exercise and be responsible for all liabilities, obligations, engagements, and contracts which previously were, or which would have been, the responsibility of the Riverton Borough Council;
- (c) Shall have and may exercise and be responsible for all actions, suits, and proceedings pending by or against, or which would have been the responsibility of, the Riverton Borough Council;
- (d) Shall succeed to the bylaws which are in force and which are applicable to the Wallace County Council's altered circumstances and, until revoked or altered by the Wallace County 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 the area shall be deemed inapplicable and revoked in respect of the area by this order;
- (e) Shall, subject to clause 7 of this order, succeed to all rates or levies and other money payable to the Riverton Borough Council;
- (f) Shall succeed to the valuation rolls, electoral rolls, and rate records in force in the area, and these shall remain in force until such rolls or records are made by the Wallace County Council; and until that time Part IX of the Rating Act 1967 shall apply as if the district in which the area was included was the district of a special purpose authority and the areas from which it was formed were constituent districts.

13. Vesting of property—All property, real and personal, vested in the corporation of Riverton Borough, subject to all existing encumbrances, shall be vested in the corporation of Wallace County.

14. Vesting of land—The corporation of Wallace County shall, in respect of Riverton Borough, have vested in it, subject to all existing encumbrances, all land in Riverton Borough previously vested in the corporation of Riverton Borough.

15. Mayor, chairman and principal administrative officer—The chairman and principal administrative officer of the Wallace County Council shall exercise the duties, powers, and functions of the mayor and principal administrative officer of the Riverton Borough Council in respect of Riverton Borough.

16. 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.

PART IV

RIVERTON HARBOUR ADMINISTRATION

17. Dissolution of Riverton Harbour Board—The Riverton Harbour Board is hereby dissolved.

18. Transfer of functions and powers—The functions and powers of the Riverton Harbour Board shall become functions and powers of the Wallace County Council.

19. Transfer of assets, liabilities, and engagements—All the assets, liabilities, and engagements of the Riverton Harbour Board shall become the assets, liabilities, and engagements of the Wallace County Council and all proceedings pending by or against the Riverton Harbour Board shall be carried on by or against the corporation of Wallace County.

20. Vesting of endowment lands—The endowment lands vested in the Riverton Harbour Board shall be vested in the Wallace County Council.

21. Use of assets and income—Subject to the provisions of the Riverton Borough Empowering Act 1947, the assets of the Riverton