

## SCHEDULE

## WELLINGTON LAND DISTRICT—HUTT COUNTY

4737 square metres, more or less, being Lot 1, D.P. 55528, Block VI, Pencarrow Survey District. All *New Zealand Gazette*, 1984, page 4685, as shown on plan R27/7, deposited in the Head Office of the New Zealand Forest Service at Wellington.

Given under the hand of His Excellency the Governor-General, and issued under the Seal of New Zealand, this 10th day of March 1985.

K. T. WETERE, Minister of Forests.

[L.S.] GOD SAVE THE QUEEN!

(F.S. 9/3/538, 6/3/35)

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*Hawke's Bay County—Waipukurau District Boundaries Alteration Order 1985*

DAVID BEATTIE, Governor-General

## ORDER IN COUNCIL

At the Government Buildings at Wellington this 25th day of March 1985

Present:

THE HON. R. O. DOUGLAS PRESIDING IN COUNCIL

PURSUANT to section 36 of 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 Hawke's Bay—Waipukurau District Boundaries Alteration Order 1985.

(2) This order shall come into force on the 1st day of April 1985.

**2. Boundaries of Hawke's Bay County and Waipukurau District altered**—The boundaries of the County of Hawke's Bay and the District of Waipukurau shall be altered by:

(a) Excluding from Waipukurau District and including in the district of Hawke's Bay County, the areas described in the First and Second Schedules to this order.

(b) Excluding from the district of Hawke's Bay County and including in Waipukurau District the area of land described in the Third Schedule to this order.

**3. Effect on Ridings**—The areas described in the First Schedule to this order shall form part of the Havelock Riding in Hawke's Bay County. The areas described in the Second Schedule to this order shall form part of the Waimarama Riding in Hawke's Bay County. The area described in the Third Schedule to this order shall form part of the Patangata Riding in the District of Waipukurau.

**4. Transfer of powers, functions and other responsibilities**—The Hawke's Bay County Council in respect of areas, referred to in Clause 2 (a) of this order and the Waipukurau District Council, in respect of the area, referred to in Clause 2 (b) 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 territorial authority from whose district the area or areas are hereby excluded;

(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 territorial authority from whose district the area or areas are hereby excluded;

(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 territorial authority from whose district the area or areas are hereby excluded;

(d) Shall succeed to the bylaws which are in force and which are applicable to the authority's altered circumstances and, until revoked or altered by such authority, every such bylaw shall remain in force in the area in which it was in force immediately before the alteration of boundaries; and every bylaw which cannot be restricted to the area shall be deemed inapplicable and revoked by the alteration of boundaries;

(e) Shall succeed to all rates or levies and other money payable to the territorial local authority from whose district the area or areas are hereby excluded;

(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 for it, and until that time Part IX of the Rating Act 1967 shall apply as if the district in which that area or those areas were included was the district of a special purpose authority, and the areas from which it was formed were constituent districts.

**5. Vesting of land**—The corporation of the district of Hawke's Bay County in respect of the areas, referred to in Clause 2 (a) of this order, and the corporation of the District of Waipukurau in respect of the area referred to in Clause 2 (b) of this order, shall have vested in it, subject to all existing encumbrances, all land in the area or areas vested in the corporation of the district of the local authority from the district of which the area or areas are excluded.

**6. Chairman and Principal Administrative Officer**—The chairman and principal administrative officer of the Hawke's Bay County Council shall exercise the duties, powers, and functions of the chairman and principal administrative officer of the Waipukurau District Council in respect of the areas, referred to in Clause 2 (a) of this order, and the chairman and principal administrative officer of the Waipukurau District Council shall exercise the duties, powers, and functions of the chairman and principal administrative officer of the Hawke's Bay County Council in respect of the area, referred to in Clause 2 (b) of this order.

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

**8. Rating**—The system of rating in the areas referred to in Clause 2 of this order shall continue to be the land value system.

**9. Apportionment of assets and liabilities**—There shall be no apportionment of assets and liabilities, including loan liabilities, pursuant to Clause 2 of this order.

## FIRST SCHEDULE

ALL those areas in Hawke's Bay Land District, being described as:

Firstly, containing 4.5 hectares, more or less, bounded by a line commencing at the southernmost corner of Patangata 2E1 Block, situated in Block I, Oero Survey District, and proceeding generally north-westerly along the generally south-western boundaries of Patangata 2E1 Block to the south-eastern side of Te Aute Trust Road, and, by the production of the last boundary, to the middle of that road, thence north-easterly along the middle of Te Aute Road and its production to the middle of Middle Road, thence southerly, generally along the middle of Middle Road to a point in line with the south-western boundary of Patangata 2E1 Block, thence north-westerly along a right line to the point of commencement.

Secondly, containing 224.5 hectares, more or less, bounded by a line commencing at the southernmost corner of Patangata 2K1 Block, situated in Block I, Oero Survey District and proceeding north-westerly along the south-western boundary of Patangata 2K1 Block and its production to the middle of the Papanui Stream, thence north-easterly down the middle of that stream to and southerly up the middle of the Tukituki River to a point in line with the south-western boundary of Patangata 2K1 Block, thence north-westerly along a right line to the point of commencement.

## SECOND SCHEDULE

ALL those areas in the Hawke's Bay Land District being described as:

Firstly, containing 56.4 hectares, more or less, commencing at the northernmost corner of Lot 1, D.P. 3009, situated in Block XV, Te Mata Survey District, and proceeding along a right line on a bearing of 154°05'30" adopted from D.P. 15010 to a point in the middle of the Hawea Stream, thence, southerly generally up the middle of that stream to a point on the eastern boundary of Lot 1, D.P. 3009, thence northerly generally along that eastern boundary to the point of commencement.

Secondly, Lot 1, D.P. 3215 and the part of Waipoapoa Road passing through the said Lot 1, situated in Blocks IV and VIII, Oero Survey District and containing an area of 1050 hectares, more or less.

## THIRD SCHEDULE

ALL that area in the Hawke's Bay Land District containing an area of 330.7 hectares, more or less, bounded by a line commencing at the northernmost corner of Lot 3, D.P. 3009, situated in Block III, Oero Survey District, and proceeding south-easterly along the north-