

Provided that the district council may, after a period of not less than 5 years, by special order determine that divisional accounting shall cease to apply to the united district, and section 138 of the Local Government Act 1974 shall apply accordingly.

(2) The district council may from time to time by special order alter the boundaries between the Waitara Urban Division and the Rural Division.

(3) 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, and for the benefit of the division in which they originated; any money required 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.

**9. Town and County Planning**—(1) Pursuant to section 63 of the Town and Country Planning Act 1977, the district council shall not be required forthwith to prepare a new district scheme for the united district.

(2) The district planning schemes and scheme statements and codes of ordinances in force in the respective districts of the uniting authorities shall be deemed to be the district planning scheme, scheme statement and code of ordinances of the united district and they shall remain in force in the respective parts of the united district until a new district scheme is prepared for the united district under the provisions of the Town and Country Planning Act 1977.

**10. Petroleum Tax**—For the purposes of Part XI of the Local Government Act 1974, the district council shall be the successor of the uniting authorities.

**11. Transfer of Responsibilities and other Matters**—Except as otherwise provided in this order, the district council in respect of the districts of the uniting authorities:

- (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 uniting authorities;
- (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 uniting authorities;
- (c) Shall have and may exercise and be responsible for all actions, suits and proceedings pending by or against which previously were, or which would have been, the responsibility of the uniting authorities.
- (d) Shall succeed to the bylaws which are in force in the districts of the uniting authorities and which are applicable to the united district's circumstances and, until revoked or altered by the district council, every such bylaw shall remain in force in the area in which it was in force immediately before the union; and every bylaw which cannot be restricted to the area in which it was in force immediately before the union or which is not applicable to the united district's circumstances shall be deemed inapplicable and revoked by the union;
- (e) Shall succeed to all rates and levies, and other money payable by the uniting authorities;
- (f) Shall succeed to the valuation rolls, electoral rolls, and rate records in force in the districts of the uniting authorities, and these shall remain in force in the united district until such rolls or records are made by the district council, and until that time Part IX of the Rating Act 1967 shall apply as if the united district was the district of a special purpose authority and the areas from which it was formed were constituent districts.

**12. Vesting of Property**—All property, real and personal, vested in the corporations of the districts of the uniting authorities shall, subject to all existing encumbrances, vest in the corporation of the united district.

**13. Vesting of Land**—The corporation of the united district shall in respect of the districts of the uniting authorities have vested in it, subject to all existing encumbrances, all land vested in the corporations of the districts of the uniting authorities.

**14. Chairman and Principal Administrative Officer**—(1) The Chairman of the district council shall exercise the duties, powers and functions of the Mayor and Chairman of the uniting authorities.

(2) The principal administrative officer of the district council shall exercise the duties, powers and functions of the principal administrative officers of the uniting authorities.

(3) Until the district council appoints a principal administrative officer, the duties of the principal administrative officer shall be undertaken by the County Clerk of the former Taranaki County Council.

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

## SCHEDULE

## BRIXTON WARD

ALL that area in the Taranaki Land District, situated in the Taranaki County, bounded by a line commencing at a point on the mean high water mark of the Tasman Sea in line with a line parallel to and 30 metres distant from the eastern side of Wills Road and proceeding southerly to and along the lastmentioned line to the north-western boundary of Lot 1, D.P. 8334; thence north-easterly and south-easterly along the north-western and north-eastern boundaries of Lot 1, D.P. 8334, to that Lot's easternmost point; thence south-westerly along the south-eastern boundary of the said Lot 1 to a point 40 metres distant from and perpendicular to the eastern side of Wills Road (before road widening); thence southerly along lines parallel to and 40 metres distant from the eastern side of Wills Road to a point in line with the roadside boundary 103°12'10", 4.02 metres, shown on S.O. 10126; thence easterly to and southerly along lines parallel to and 35.98 metres distant from the eastern side of Wills Road to the north-western boundary of Lot 2, D.P. 7555; thence north-easterly along the north-western boundaries of Lots 2 and 3, D.P. 7555, Lots 2 and 1, D.P. 7659, and Lots 5, 6, 7, 8, 9, 10 and 11, D.P. 7555, to the northernmost corner of the lastmentioned Lot; thence north-easterly along a right line to and along the north-western boundaries of Lots 12, 13 and 14, D.P. 7555, to the western boundary of part Section 68, Waitara West District; thence southerly along the western boundary of the said part Section 68 to the northern side of Devon Road (No. 3 State Highway); thence easterly along the northern side of Devon Road (No. 3 State Highway) to a point in line with the eastern boundary of Lot 6, D.P. 5331; thence southerly to and southerly generally along that boundary to the easternmost corner of Lot 5, D.P. 5331; thence north-westerly along the north-eastern boundary of that Lot to its northernmost corner; thence south-westerly generally and south-easterly along the north-western and south-western boundaries of the said Lot 5 to its southernmost corner; thence south-westerly along the south-eastern boundary of part Section 145, Waitara West District, to the southernmost corner of that part Section; thence south-easterly along the south-western side of Te Arei Road West to the northernmost corner of Kaipakopako 1A; thence south-easterly along the south-western boundary of the said 1A and the north-eastern boundary of part Section 149, Waitara West District to the easternmost corner of the lastmentioned part Section; thence easterly along the southern side of Te Arei Road West to the westernmost corner of Kaipakopako part 1B; thence southerly generally along the western boundaries of Kaipakopako part 1B and 2C1 and the production of the lastmentioned boundary to the middle of the Marton - New Plymouth Railway; thence easterly and southerly generally along the middle of the Marton - New Plymouth Railway to a point in line with the northern boundary of part Section 200, Huirangi District; thence easterly along a right line, being the production of the lastmentioned boundary, to the right bank of the Waiongana Stream; thence northerly generally along that bank to the north-western boundary of Section 98, Huirangi District; thence north-easterly along that boundary and its production to the eastern side of Wortley Road; thence northerly along the eastern side of that road to and north-easterly along the north-western boundary of Section 111, Huirangi District, to the south-western boundary of Section 121, Huirangi District; thence south-easterly along that boundary to and north-easterly along the south-eastern boundary of the said Section 121 and its production to the eastern side of Richmond Road; thence northerly along the eastern side of that road to the southern boundary of Section 128, Huirangi District; thence easterly along that boundary to and southerly along the western boundaries of the former Sections 137, 136, 135 and 134, Huirangi District, (D.P. 4840), to the northern boundary of part Section 1, D.P. 5879; thence easterly along that boundary and northerly generally along the western boundaries of Sections 23 and 22, Block XIII, Waitara Survey District, to the north-western boundary of the said Section 22; thence north-easterly along that boundary to and north-westerly along the north-eastern boundaries of part Section 145 and Section 144, Huirangi District, to the south-eastern boundary of Section 152, Huirangi District; thence north-easterly along that boundary and the south-eastern boundary of Section 153, Huirangi District, and its production to the middle of York Road; thence southerly along the middle of that road to a point in line with the southern boundary of Lot 1, D.P. 12532; thence easterly to and along that boundary and its production to the middle of Clarke Road; thence southerly along the middle of that road and south-easterly along the middle of Roddy Road to a point in line with the south-western boundary of Section 167, Huirangi District; thence south-easterly to and along that boundary and its production to the middle of the Mangapotoa Stream; thence north-easterly generally down the middle of that stream to and northerly generally down the middle of the Manganui River to its confluence with the Waitara River; thence northerly generally down that river to its confluence with the Mangahinau Stream; thence westerly generally up the middle of that stream to a point where it meets the western side of Nelson Street; thence northerly along the western side of that street to the south-eastern boundary of Lot 2, D.P. 5189; thence south-westerly along that boundary and the south-eastern boundaries of Lot 3, D.P. 9540, Lots 8 and 7, D.P. 13032, Lots 10, 9 and 16,