

Seven members to be elected by the electors of the Wairoa Ward;

One member to be elected by the electors of the Mahia Ward;

One member to be elected by the electors of the Nuhaka Ward;

One member to be elected by the electors of the Tuhara Ward;

One member to be elected by the electors of the Frasertown Ward;

One member to be elected by the electors of the Waikaremoana Ward;

One member to be elected by the electors of the Ruakituri Ward;

One member to be elected by the electors of the Waiau Ward;

One member to be elected by the electors of the Mohaka Ward.

(2) From the date at which this order comes into effect until the date of the triennial general election of members of local authorities to be held on 11 October 1986, there shall be an interim district council comprising those members of the uniting authorities holding office immediately prior to dissolution. At the first meeting of the interim district council, an interim Mayor of the district shall be elected by and from amongst the members of the interim district council.

5. First Meeting of Council—The first meeting of the district council shall be convened by the Principal Administrative Officer of the district council appointed pursuant to clause 17 (2) of this order.

6. Returning Officer—For the purposes of arranging the triennial general election of members of local authorities to be held on 11 October 1986, the Principal Administrative Officer appointed pursuant to clause 17 (2) of this order shall be the Returning Officer for the united district.

7. Hawke's Bay United Council Membership—(1) Those members of the Hawke's Bay United Council appointed separately by the councils of the uniting authorities shall continue in office until such time as successors are appointed following the triennial general elections of members of local authorities to be held on 11 October 1986.

(2) From the date of the triennial general election of members of local authorities to be held on 11 October 1986 the district council shall appoint 3 members to the Hawke's Bay United Council

(3) The district council shall be the successor to the uniting authorities for the purposes of representation and financial contribution to the Hawke's Bay United Council.

8. Wairoa Electric Power Board Representation—(1) For the purposes of representation on the Wairoa Electric Power Board the united district shall be divided into two constituent districts within the meaning of the Electric Power Boards Act 1925. The constituent districts and their representation shall be as follows:

the constituent district comprising the Wairoa Ward to elect 4 members;

the constituent district comprising the Mahia, Nuhaka, Tuhara, Frasertown, Waikaremoana, Ruakituri, Waiau and Mohaka Wards to elect 6 members.

9. Hawke's Bay Hospital Board Representation—The electors of the Wairoa District shall elect 2 members as follows to the Hawke's Bay Hospital Board on the basis of representation defined by the Hawke's Bay Hospital Board Representation Order 1986 and in accordance with the Hospitals Act 1957:

1 member to be elected from the area of the former Wairoa Borough;

1 member to be elected from the area of the former Wairoa County.

10. Finance—(1) 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 this order comes into force.

(2) The special funds of the uniting authorities shall be expended only for the purposes for which they were set aside.

(3) The loan liabilities existing at the date of the union shall continue to be secured against the areas over which they were secured as at that date.

11. Rating—The system of rating in the united district shall be the land value system.

12. Town and County Planning—The district planning schemes and scheme statements and codes of ordinances in force in the respective districts of the former Wairoa Borough and Wairoa County shall be deemed to be the district planning scheme, and scheme statement and code of ordinances of the united district and the council of the united district shall not be required forthwith to prepare a new district planning scheme. The district council shall proceed with the review of the Wairoa Borough District Scheme and shall complete the first review of a scheme for the united district not later than 1 October 1990.

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

14. Transfer of Responsibilities—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 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 districts' circumstances and, until revoked or altered by the council of the united district, 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 to 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 council of the united district, 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 authorities.

15. 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.

16. 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.

17. Mayor, Principal Administrative Officer, and other Officers—(1) The Mayor of the council of the united district shall exercise the duties, powers and functions of the Mayor and Chairmen of the uniting authorities.

(2) The Principal Administrative Officer of the council of the united district shall be appointed by the uniting authorities prior to their dissolution and such officer shall exercise the duties, powers and functions of the principal administrative officers of the uniting authorities.

18. 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.

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

35

Mount Wellington Borough - Otahuhu Borough Union Order 1986

PAUL REEVES, Governor-General
ORDER IN COUNCIL

At Wellington this 4th day of August 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 Mount Wellington Borough - Otahuhu Borough Union Order 1986.

(2) This order shall come into force on the day after the Returning Officer, pursuant to the Local Elections and Polls Act 1976, declares the result of the election of the members of the district council following the triennial general election of members of local authorities to be held on 11 October 1986; except so far as it may be necessary to provide for that election.