

15. 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.

16. Mayor, Principal Administrative Officer, and other Officers—(1) The Mayor of the united district 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 be the Town Clerk of the former Rangiora Borough Council and shall exercise the duties, powers and functions of the principal administrative officers of the uniting authorities;

(3) The Engineer and Treasurer of the district council shall be the Engineer and Treasurer of the former Rangiora District Council and shall exercise the duties, powers, and functions of the engineer and treasurer of the uniting authorities;

(4) The Principal Administrative Officer and the Engineer and Treasurer shall be the executive officers of the district council.

17. 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

Eltham Borough-Eltham County 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 Eltham Borough and Eltham County 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.

(3) The Principal Administrative Officer holding office pursuant to clause 16 of this order shall inform the Secretary for Local Government of the date on which the Returning Officer declares the result of the election of the members of the district council.

2. Constitution—(1) The districts of Eltham Borough and Eltham County shall be united into one district to be known as the Eltham District (hereinafter referred to as "the united district").

(2) The Eltham Borough Council and the Eltham County Council (hereinafter referred to as "the uniting authorities") shall be dissolved.

(3) All ridings of the former Eltham County shall be abolished.

(4) There shall be a council for the united district to be known as the "Eltham District Council", (hereinafter referred to as "the district council").

3. Wards—There shall be constituted 4 wards for the united district to be known as:

(a) The Eltham Urban Ward, comprising the district of the former Borough of Eltham;

(b) The Kaponga Urban Ward, comprising the area of the Kaponga Riding of the former Eltham County;

(c) The East Rural Ward, comprising the area of the East Riding of the former Eltham County; and

(d) The West Rural Ward, comprising the area of the West Riding of the former Eltham County.

4. Membership of District Council—(1) The District Council shall comprise a Mayor, elected by the electors of the united district, and 12 members elected as follows:

Five members to be elected by the electors of Eltham Urban Ward;

One member to be elected by the electors of Kaponga Urban Ward;

Three members to be elected by the electors of East Rural Ward;

Three members to be elected by the electors of West Rural Ward.

(2) The Mayor and members of the district council shall be first elected at the triennial general election of members of local authorities to be held on 11 October 1986.

(3) Notwithstanding the provisions of section 56 (1) of the Local Government Act 1974, no alteration to the basis of election or to the boundaries of the wards constituted by clause 2 of this order shall be made prior to the review of the basis of election required to be undertaken in the year preceding the triennial general election of members of local authorities to be held in 1992.

5. Kaponga Community—(1) The Kaponga Community and Community Council shall enure as if they had been constituted by the district council.

(2) The district council may not request the consent of the Local Government Commission, pursuant to section 58 (1) of the Local Government Act 1974, for the abolition of the Kaponga Community prior to 1 October 1992.

6. Elections—For the purposes of arranging the triennial general election of members of local authorities to be held on 11 October 1986 the Returning Officer for the united district shall be the Returning Officer of the former Eltham County.

7. 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 16 of this order.

8. Taranaki United Council—(1) The district council shall appoint 2 members to the Taranaki United Council.

(2) Those members of the Taranaki United Council appointed separately by the councils of the uniting authorities shall continue in office until such time as members are appointed following the triennial general election of members of local authorities to be held on 11 October 1986.

(3) For the purpose of meeting the net expenditure of the Taranaki United Council the district council shall be the successor of the uniting authorities.

9. Rating—Until 1 April 1992, or such earlier date as the district council may determine, the system of rating in the Eltham Urban Ward, the East Rural Ward and the West Rural Ward shall be the land value system and the system of rating in the Kaponga Urban Ward shall be the capital value system.

10. Finance—(1) Except as otherwise provided in this order the accounts of the district council shall be kept in accordance with the provisions of the Local Government (Territorial Authorities) Accounting Regulations 1979.

(2) For all accounting and other financial purposes, except those relating to the levying of rates, 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 and, except as otherwise provided in this order, all administrative accounts, works and services accounts and special fund accounts of the uniting authorities at the date of the union shall be merged to operate as accounts of the district council and they shall be so merged by the 31st day of March next ensuing after the date of the union.

(3) Notwithstanding anything in this order, until the 31st day of March 1992, or such earlier date as the district council may by special order determine, the united district shall, for the purposes of finance, be divided into 3 divisions as follows:

(a) The Eltham Urban Division, which shall comprise the Eltham Urban Ward;

(b) The Kaponga Urban Division, which shall comprise the Kaponga Urban Ward; and

(c) The Rural Division, which shall comprise the East Rural Ward and the West Rural Ward.

(4) The accounts of each division shall be kept separate, provided that receipts and payments of a general nature, as determined by the district council, shall be shared between the divisions on such a basis as may be determined by the district council.

(5) All loan liabilities shall continue to be secured against the area over which they are raised.

Provided that in the case of loans raised in respect of offices and depots, the repayment of those loans may be funded from general rates levied over the whole of the united district.

(6) 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 district of the uniting authority in which they originated, the money required to be paid into any other special fund to meet any deficiency shall be found from within the district of the uniting authority in respect of which that special fund originated.

Provided that those funds relating to offices and depots and the purchase and renewal of plant and equipment shall become funds of the whole of the united district.