

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:

- Four members to be elected by the electors of the Milton Ward;
- Two members to be elected by the electors of the Waihola Ward;
- Two members to be elected by the electors of the Balmoral Ward;
- One member to be elected by the electors of the Tokomairiro Ward;
- One member to be elected by the electors of the Matau Ward;
- Two members to be elected by the electors of the Kaitangata Ward;

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

5. Communities—The Benhar Community and the Stirling Community shall be abolished.

6. Returning Officer and Conduct of Elections—(1) For the purposes of arranging the general election of members of local authorities to be held on 11 October 1986, the Principal Administrative Officer and the Returning Officer for the united district shall be the Principal Administrative Officer and the Returning Officer of the former Bruce County.

(2) Notwithstanding anything in the Local Elections and Polls Act 1976, the election of the district council to be held on 11 October 1986 shall be conducted by postal vote under Part III of that Act.

7. Clutha - Central Otago United Council—(1) The district council shall appoint to the Clutha - Central Otago United Council:

- (a) One member who shall be appointed solely by the district council; and
- (b) Three members who shall be appointed jointly by the district council and the Balclutha Borough Council.

(2) The member appointed by former Bruce County Council, and the 3 members appointed jointly by the former Milton Borough Council, the former Kaitangata Borough Council, and the Balclutha Borough Council to the Clutha - Central Otago United Council shall continue as members of the united council until such time as members are appointed following the 1986 general elections of members of local authorities.

(3) For the purposes of meeting the net expenditure of the Clutha - Central Otago United Council, the district council shall be the successor of the uniting authorities.

8. 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) The financial records of the district council shall be maintained for a period of not less than 5 years in such manner as will show separately the parts of the united district to benefit from expenditure in the various works and services accounts.

(4) 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, and 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.

9. 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.

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

(2) The district planning scheme, 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, and scheme statement, and code of ordinances of the united district, and shall remain operative until 1 October 1990.

(3) The district council shall by 1 October 1990 prepare a new district scheme for the united district.

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, 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 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 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 authorities.

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

13. 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.

14. Mayor—The Mayor of the united district shall exercise the duties, powers, and functions of the Mayors and chairman of the uniting authorities.

15. Principal Administrative Officer and Deputy Principal Administrative Officer—(1) The Principal Administrative Officer of the district council shall be the County Clerk of the former Bruce County Council and shall exercise the duties, powers, and functions of the Principal Administrative Officers of the uniting authorities.

(2) The Principal Administrative Officer of the former Milton Borough shall be the deputy to the Principal Administrative Officer of the district council.

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.

17. Otago Museum Trust Board Act 1955—The Otago Museum Trust Board Act 1955 is hereby modified and shall apply as if the district council is a contributing authority with a differential factor of 0.4 mentioned in the First Schedule, and as if the uniting authorities are not contributing authorities mentioned in that Schedule.

SCHEDULE

KAITANGATA WARD

ALL that area in the Otago Land District, Bruce County, bounded by a line commencing at the northernmost corner of Lot 10, D.P. 1193, situated in Block IV, North Molyneux Survey District and proceeding south-easterly along the north-eastern boundaries of that lot and Lots 7 and 6, D.P. 1193 to the south-western boundary of Duguid Street, thence north-westerly, easterly and again north-westerly along the north-eastern, southern and north-eastern boundaries of Section 6, Block IV aforesaid to the southernmost corner of Section 5, Block IV aforesaid, as contained in certificate of title 40, folio 220; thence generally north-easterly and north-westerly along the south-eastern and north-eastern boundaries of Section 5 aforesaid to the southernmost corner of Lot 14, D.P. 25; thence north-easterly and north-westerly along the south-eastern and north-eastern boundaries of Lot 14 aforesaid to the westernmost corner of Lot 6, D.P. 1168; thence easterly along the northern boundaries of that Lot and Lots 5, 4, 3, 2 and 1, D.P. 1168 and the production of that boundary to the south-western side of Wellington Street; thence south-easterly along the south-western side of that street to the north-eastern corner of Lot 18, Block III, D.P. 1145; thence south-easterly along the north-eastern boundary of Lot 18 aforesaid to the south-eastern along the north-eastern boundary of Lot 18 aforesaid to that south-eastern side of Elizabeth Street; thence north-easterly along that south-eastern side of Elizabeth Street and its production to the middle of Kaitangata Creek; thence generally