

(3) From the date of the next triennial general election of members of local authorities the County Council shall comprise 7 members to be elected as follows:

Mangorei Riding—1 member
 Waitara Riding—2 members
 Omata Riding—1 member
 Oakura Riding—1 member
 Okato Riding—2 members

7. Transfer of powers, responsibilities and other matters—Except as provided elsewhere in this order, the City Council, in respect of the said areas:

- (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 County Council;
- (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 County Council;
- (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 County Council;

(d) Shall succeed to the bylaws which are in force and which are applicable to its altered circumstances and, until revoked or altered by the City Council, every such bylaw shall remain in force in the areas in which they were in force immediately before the alteration of boundaries; and every bylaw which cannot be restricted to the said areas shall be deemed inapplicable and revoked in respect of the said areas by the alteration of boundaries;

(e) Shall succeed to all rates or levies and other money payable to the County Council provided that:

(i) Any arrears of rates owing to the County Council, other than for sewerage and water supply rates and charges, together with rates postponed, shall be payable to and remain the property of the County Council and it shall be the responsibility of the County Council to collect such arrears and postponed rates; any arrears or postponed rates received by the City Council, less 5 percent for the cost of collection, shall be paid as soon as possible to the County Council;

(ii) All building permit and drainage permit fees paid before the 31st day of December 1985 shall be retained by the County Council, and all such fees paid between the 1st day of January 1986 and the 31st day of March 1986 shall be paid by the County Council to the City Council not later than the 30th day of April 1986;

(iii) All fees received for the year ending 31 March 1987 in respect of bylaws referred to in paragraph (d) of this clause and in respect of any licence or certificate issued pursuant to the Health Act 1956, the Dangerous Goods Act 1974, the Clean Air Act 1972, the Local Government Act 1974, or any other similar licence or certificate shall be paid by the County Council to the City Council.

(f) Shall succeed to the valuation rolls, electoral rolls, and rate records in force in the said areas, and these shall remain in force until such rolls or records are made by the City Council, and until that time Part IX of the Rating Act 1967 shall apply as if the district in which the said areas are included was the district of a special purpose authority, and the areas from which it was formed were constituent districts.

8. Vesting of land—(1) The corporation of the district of New Plymouth City shall have vested in it, subject to all existing encumbrances:

(a) All road reserves and reserves pursuant to the Reserves Act 1977 in the said areas vested in the corporation of the district of Taranaki County;

(b) All that piece of land in the Taranaki Land District comprising 864 square metres, more or less, being Lot 1, D.P. 11691, being part Section 74, Hua Village, situated in Block II, Paritutu Survey District; and all the liabilities in respect of that property shall be transferred to the City Council;

(c) All that piece of land in the Taranaki Land District comprising 1609 square metres, more or less, being Section 37, Hua Village, shown on D.P. 4172, situated in Block II, Paritutu Survey District;

(d) All that piece of land in the Taranaki Land District comprising 1210 square metres, more or less, being Lot 3, D.P. 12144, being part Section 202, Hua District, situated in Block VI, Paritutu Survey District and held by the County Council for roading purposes; provided that if the said land is not used for roading purposes and is sold or leased, the proceeds of such sale or lease shall be paid to the County Council.

(2) All assets and liabilities relating to those reserves which pursuant to subclause (1) of this clause, are to be vested in the corporation of the City of New Plymouth shall become assets and liabilities of the City Council.

(3) All that piece of land in the Taranaki Land District comprising 2868 square metres, more or less, being Section 62, Hua Village situated in Block II, Paritutu Survey District shall continue to be vested in the County Council.

9. Mayor, Chairman, and Principal Administrative Officer—The mayor and principal administrative officer of the City Council shall exercise the duties, powers, and functions of the chairman and principal administrative officer of the County Council in respect of the said areas.

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

11. Rating—The system of rating in the said areas shall continue to be the land value system.

12. Water supply—(1) In respect of the Waitara Riding Water Supply Area:

(a) All assets relating to the supply of water in that area shall become the assets of the City Council, except for those water pipes laid in the following general areas of Taranaki Council:

(i) Paraite Road southwards of the Marton-New Plymouth Railway;

(ii) Corbett Road southwards of the Marton-New Plymouth Railway;

(iii) Devon Road eastwards of Lot 14, D.P. 7555;

(b) All liabilities of the Waitara Riding Water Supply Area (except liabilities in respect of those services retained by the County Council) shall become the liabilities of the City Council;

(c) The County Council shall pay to the City Council 95 percent of the amount of any credit balance in the Waitara Riding Water Supply Area Account as at the 31st day of March 1986, such payment to be made not later than 60 days after that date;

(d) The City Council shall pay to the County Council 95 percent of the amount of any debit balance in the Waitara Riding Water Supply Area Account as at the 31st day of March 1986, such payment to be made not later than 60 days after that date;

(e) All outstanding water rates and charges recovered after the 31st day of March 1986 by the County Council shall, within 30 days of receipt, be paid to the City Council less 5 percent cost of collection; provided that this clause shall not apply to water rates and charges recovered from properties served by the mains named in paragraph (a) above;

(f) Any costs of the County Council incurred prior to the 31st day of March 1986 but paid after that date, shall be deducted from any payments made to the City Council either in respect of any credit balance or from late receipt of rates and charges and any shortfall shall be paid by the City Council to the County Council.

(2) The City Council shall, pursuant to section 385 of the Local Government Act 1974, take over the ownership, control, and management of the water supply on Smart Road, Egmont Road, and Brown Road.

13. Sewerage—In respect of the Bell Block Urban Drainage Area:

(a) All assets relating to, that area shall become the assets of the City Council;

(b) All liabilities of that Drainage Area, including, but not limited to, loan liabilities, shall become liabilities of the City Council;

(c) The County Council shall pay to the City Council the amount of any credit balance in the Bell Block Urban Drainage Area Account at the 31st day of March 1986, such payment to be made not later than 60 days after that date;

(d) The City Council shall pay to the County Council the amount of any debit balance in the Bell Block Urban Drainage Area Account at the 31st day of March 1986, such payment to be made not later than 60 days after that date;

(e) All outstanding sewerage rates and charges recovered after the 31st day of March 1986 by the County Council shall, within 30 days of receipt, be paid to the City Council, less 5 percent;

(f) Any costs of the County Council in respect of the Drainage Area, incurred prior to the 31st day of March 1986 but paid after that date, shall be deducted from any payments made to the City Council either in respect of any credit balance or from late receipt of rates and charges. Any shortfall shall be paid by the City Council to the City Council.