

westerly up the middle of Tutaekuri River to the eastern side of the Redclyffe Bridge; thence northerly along the eastern side of the Redclyffe Bridge and its production to the south-eastern boundary of Lot 8, D.P. 12805; thence north-easterly along the south-eastern boundaries of the said Lot 8, part Lots 2, 3 and 5, D.P. 4846, to a point in line with the southern boundary of Lot 2, D.P. 6891; thence easterly along the production of that boundary to its intersection with the middle of the public road forming the north-eastern boundary of Suburban Section 83, Meeanee; thence south-easterly along the middle of the said public road to its intersection with the middle of the public road forming the northern boundary of Suburban Section 84, Meeanee; thence north-easterly generally along the middle of that public road to a point in line with the western boundary of Lot 1, D.P. 2364; thence northerly to and along that boundary to and easterly along the northern boundaries of the said Lot 1 and Lot 2, D.P. 2364 to the western boundary of Lot 12, D.P. 390; thence northerly and easterly along the western and northern boundaries of Lot 12, D.P. 390 and the production of the last-mentioned boundary to the middle of Guppy Road; thence northerly along the middle of Guppy Road to its intersection with the middle of Meeanee Road; thence easterly along the middle of Meeanee Road to the point of commencement.

*Fourthly*, containing 710 square metres, more or less, bounded by a line commencing at a point being the north-easternmost corner of Lot 8, D.P. 1639; thence south-westerly along a right line bearing  $224^{\circ} 13'$  to the western boundary of the said Lot 8; thence northerly and easterly along the western and northern boundaries of Lot 8, D.P. 1639 to the point of commencement.

MARIE SHROFF, Clerk of the Executive Council. 1  
In 2079

### Hawke's Bay County - Hastings City Boundary Alteration Order 1988

PAUL REEVES, Governor-General

#### ORDER IN COUNCIL

At Wellington this 22nd day of February 1988

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 Hawke's Bay County - Hastings City Boundary Alteration Order 1988.

(2) This order shall come into force on 1 April 1988.

**2. Boundaries of Hawke's Bay County and Hastings City altered**—The boundaries of the district of Hawke's Bay County and the district of Hastings City are hereby altered by excluding from the district of Hawke's Bay County and including in the district of Hastings City those areas of land described in the Schedule hereto (hereinafter referred to in this order as 'the said areas').

**3. Mayor and principal administrative officer**—The mayor and principal administrative officer of the Hastings City Council shall exercise the duties, powers, and functions of the chairman and principal administrative officer of the Hawke's Bay County Council in respect of the said areas.

**4. Transfer of responsibilities**—The Hastings 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 Hawke's Bay 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 Hawke's Bay 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 Hawke's Bay 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 Hastings City Council, every such bylaw shall remain in force in the areas in which it was 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 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 Hastings City Council, and until that time Part IX of the Rating Act 1967 shall apply in the said areas as if the district in which the said areas were included was the district of a special purpose authority and the areas from which it was formed were constituent districts.

**5. Vesting of property**—The corporation of the district of Hastings City shall, in respect of the said areas, have vested in it, subject to all existing encumbrances, all land in those areas vested in the corporation of the district of Hawke's Bay County, with the exception of the following areas:

(a) All that parcel of land containing 8094 square metres, more or less, situated in Block X, Heretaunga Survey District, being Lot 1 on Deposited Plan 2277 and being the land described in certificate of title, Volume 86, folio 2 (Hawke's Bay Registry).

(b) All that parcel of land containing 4.0469 hectares, more or less, situated in Block X, Heretaunga Survey District, being Lot 2 on Deposited Plan 7986 and being the land comprised and described in certificate of title, Volume H1, folio 242 (Hawke's Bay Registry).

(c) All that parcel of land containing 8777 square metres, more or less, situated in Block XV, Heretaunga Survey District, being Lot 1 on Deposited Plan 6979 and being the land comprised and described in certificate of title, Volume 109, folio 32 (Hawke's Bay Registry).

(d) All that parcel of land containing 1.3073 hectares, more or less, situated in Block III, Te Mata Survey District, being Lot 1 on Deposited Plan 19426 and being the land comprised and described in certificate of title, Volume L3, folio 428 (Hawke's Bay Registry).

**6. Title to property**—Any reference, express or implied, to the "Hawke's Bay County Council" in any instrument or other document whatever, or in any entry or record made on any register in relation to any instrument or other document whatever relating to the said areas, shall, unless the context otherwise requires, be read as reference to the "Hastings City Council".

**7. 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.

**8. Apportionment of assets and liabilities**—There shall be no apportionment of assets and liabilities including loan liabilities pursuant to clause 2 of this order.

#### Schedule

All that area in the Hawke's Bay Land District, Hawke's Bay County, *firstly*, containing 433.1 hectares, more or less, bounded by a line commencing at the intersection of the middle of Omaha Road and the middle of Kirkwood Road; thence south-westerly along the middle of Kirkwood Road to a point in line with the south-eastern boundary of Lot 2,