

(a) all the powers and duties under the Town and Country Planning Act 1977 which may be delegated to a committee; and

(b) all the powers and functions conferred on a territorial authority by Part XX of the Local Government Act 1974.

6. Rating—(1) The system of rating in Porirua City shall be the land value system.

(2) The system of differential rating and the system of uniform annual charges maintained in the former Horokiri Riding by the Hutt County Council shall continue in force until the 31st day of March 1989.

(3) The method of payment of rates by instalment in force in Porirua City prior to the commencement of this order shall become the method of payment of rates in the Horokiri Ward.

7. Finance—Until the 31st day of March 1989 there shall be constituted two financial divisions for the district of Porirua City as follows:

(a) the Porirua Division, comprising the district of Porirua City, as constituted prior to the commencement of this order; and

(b) the Horokiri Division, comprising the Horokiri Ward.

8. Civil defence—The operative local civil defence plan for the district of Porirua City shall apply to the said area and shall be the only operative civil defence plan to apply in that area.

9. Transfer of responsibilities—(1) The Porirua City Council, in respect of the said area, shall:

(a) have and may exercise and be responsible for all the powers, duties, acts of authority and functions which were previously exercised, or which could have been so exercised, by the Hutt County Council;

(b) 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 Hutt County Council;

(c) 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 Hutt County Council;

(d) succeed to the bylaws which are in force and until revoked or altered by the Porirua City Council, every such bylaw shall remain in force in the area to which it applied immediately before the commencement of this order: provided that every bylaw which ceases to be applicable to that area shall be deemed to have been revoked by this order;

(e) succeed to all rates and levies, and other money payable to the Hutt County Council;

(f) succeed to the valuation rolls, electoral rolls, and rate records in force in the said area, and these shall remain in force until new valuation rolls are made by the Porirua City Council and until that time Part XIV of the Rating Powers Act 1988 shall apply as if the district in which that area was included was the district of a special purpose authority and the areas from which it was formed were constituent districts.

(2) The mayor of the Porirua City shall have and may exercise the duties, powers, and functions of the chairman of the Hutt County Council, in respect of the said area.

(3) The principal administrative officer of the Porirua City Council shall have and may exercise the duties, powers, and functions of the principal administrative officer of the Hutt County Council in respect of the said area.

10. Vesting of land—The corporation of the district of Porirua City shall, in respect of the said area, have vested in it, subject to all existing encumbrances, all land in that area vested in the corporation of the district of Hutt County.

11. Title to land—Any reference, express or implied, in respect of the said area to “the Hutt County Council” in any instrument or other document whatsoever, or in any entry or record made in any register in relation to any instrument or

other document whatsoever relating to any land vested in the Porirua City Council by clause 10 of this order shall, unless the context otherwise requires, be read as a reference to “the Porirua City Council”.

Part II

Hutt County and Upper Hutt City

12. Alteration of boundaries between Hutt County and Upper Hutt City—The boundaries of the district of Hutt County and the district of Upper Hutt City shall be altered by excluding from the district of Hutt County and including in the district of Upper Hutt City that area described in the Second Schedule to this order (in this part of this order referred to as the said area).

13. Heretaunga-Pinehaven Community—The Heretaunga-Pinehaven Community and District Community Council shall enure, as if they had been constituted by the Upper Hutt City Council.

14. Heretaunga-Pinehaven Ward—The said area shall be constituted a ward of Upper Hutt City, to be known as the Heretaunga-Pinehaven Ward.

15. Membership—(1) Until the general election of members of the Upper Hutt City Council, to be held on the 14th day of October 1989, the Heretaunga-Pinehaven Ward shall be represented by two members of the Heretaunga-Pinehaven District Community Council to be elected by the District Community Council at its first meeting after the commencement of this order.

(2) From the general election of members of the Upper Hutt City Council to be held on the 14th day of October 1989, the Heretaunga-Pinehaven Ward shall be represented by two members to be elected by the Heretaunga-Pinehaven District Community Council pursuant to section 67 of the Local Government Act 1974.

(3) For the purpose of giving effect to the matters specified in subclauses (1) and (2) of this clause, the membership of the Upper Hutt City Council shall be increased by two.

16. Rating—The system of rating in Upper Hutt City shall be the land value system.

(2) The system of differential rating and the system of uniform annual charges maintained in the former Heretaunga-Pinehaven Riding by the Hutt County Council shall continue until the 31st day of March 1993.

(3) The method of payment of rates by instalment in force in Upper Hutt City prior to the commencement of this order shall become the method of payment of rates in the Heretaunga-Pinehaven Ward.

17. Civil defence—The operative local civil defence plan for the district of Upper Hutt City shall apply to the said area and shall be the only operative civil defence plan to apply in that area.

18. Transfer of responsibilities—(1) The Upper Hutt City Council, in respect of the said area, shall:

(a) have and may exercise and be responsible for all the powers, duties, acts of authority and functions which were previously exercised, or which could have been so exercised, by the Hutt County Council;

(b) have and may exercise and be responsible for all the liabilities, obligations, engagements and contracts which previously were, or which would have been, the responsibility of the Hutt County Council;

(c) 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 Hutt County Council;

(d) succeed to the bylaws which are in force and until revoked or altered by the Upper Hutt City Council, every such bylaw shall remain in force in the area to which it applied immediately before the commencement of this order: provided