

33. Creditors—Subject to section 37F of the Local Government Act 1974, the rights or interests of creditors of the former authorities shall not be affected.

34. Vesting of land—Subject to clause 36 of this order, the corporations of the districts of Porirua City, Upper Hutt City and Wainuiomata District shall have vested in them, subject to all existing encumbrances, all land vested in the corporation of the district of Hutt County that is outside the district of the former Hutt County.

35. Title to land—Any reference, expressed or implied, 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 land whatsoever vested in the Porirua City Council, the Upper Hutt City Council and the Wainuiomata District Council by clause 34 of this order shall, unless the context otherwise requires be read as a reference to “the Porirua City Council, the Upper Hutt City Council and the Wainuiomata District Council”.

36. Assets and liabilities—Subject to clauses 10, 19 and 30 of this order the provisions of section 37E of the Local Government Act 1974 relating to the apportionment of the assets and liabilities of the Hutt County Council shall apply to this scheme.

37. Loan liabilities—Subject to section 37F (2) of the Local Government Act 1974, all loan liabilities existing at the commencement of this order shall continue to be secured against the area over which they were secured at that date.

38. Transfer of responsibilities and other matters—Except as otherwise provided in this order, any matter whatsoever which would have been the responsibility of the former Hutt County Council in respect of an area greater than:

- (a) the area described in the First Schedule to this order; or
- (b) the area described in the Second Schedule to this order; or
- (c) the area of the former Wainuiomata Riding of Hutt County—

and which has not been finally dealt with by the Hutt County Council before the commencement of this order shall be the responsibility of the Porirua City Council and the Upper Hutt City Council and the Wainuiomata District Council or any one or two of them in such manner as may be agreed between all of them.

39. Wellington Regional Council—(1) Notwithstanding section 43 of the Local Government Act 1974, from the general election of members of the Wellington Regional Council to be held on the 14th day of October 1989 the constituencies and membership of the Wellington Regional Council shall be altered as follows:

- (a) the Hutt County Constituency shall be abolished;
- (b) there shall be constituted a Wainuiomata Constituency comprising the Wainuiomata District to be represented by one member;
- (c) the Porirua-Tawa Constituency shall be represented by three members.

(2) Those members of the Wellington Regional Council representing the Hutt County Constituency holding office at the commencement of this order shall, unless they sooner vacate office by reason of death, resignation, retirement or disqualification, continue in office until the members elected at the general election of members of the Wellington Regional Council to be held on the 14th day of October 1989 come into office.

40. Hutt Valley Drainage Board—(1) For the purposes of the appointment of members of the Hutt Valley Drainage Board following the general election of members of constituent authorities to be held on the 14th day of October 1989 the membership of the board shall comprise:

- (a) six persons to be appointed by the Lower Hutt City

Council after consultation with the Wainuiomata District Council;

- (b) four persons to be appointed by the Upper Hutt City Council;

- (c) two persons to be appointed by the Petone Borough Council;

- (d) one person to be appointed by the Eastbourne Borough Council.

(2) Those members of the Hutt Valley Drainage Board holding office at the commencement of this order shall continue in office until successors are appointed pursuant to the Hutt Valley Drainage Board Act 1967.

First Schedule

Part Hutt County to be Included in Porirua City

All that area in the Wellington Land District being portion of the Hutt County bounded by a line commencing at a point on the mean high water mark of the sea due north-west of the northernmost corner of Pukerua 3C1A in Block III, Paekakariki Survey District; thence generally south-easterly along a right line to that corner and along the eastern boundary of Pukerua 3C1A, the north-eastern boundary of Lot 1, D.P. 7665, the southern boundary of part Pukerua 2, Subdivision 2 (certificate of title 370/176), and the generally eastern boundaries in part Pukerua 2, Subdivision 2 and Pukerua 2, Subdivision 3 to the south-eastern corner of the said Subdivision 3; thence westerly along the northern boundary of Pukerua 2, Subdivision 4 to the north-western corner of the said Subdivision 4; thence southerly along the western boundaries of Pukerua 2, Subdivisions 4, 5 and 6 to the northern boundary of Lot 2, D.P. 44495; thence westerly along that last-mentioned boundary and its production to the eastern side of State Highway 1; thence southerly along that side by a point in line with the south-western boundary of Section 84, Porirua District, and along a right line to and along that boundary and its production to the mean high water mark of Porirua Harbour; thence generally easterly, southerly and westerly along that mean high water mark to a point in line with the eastern boundary of part Section 94, Porirua District (certificate of title 352/280); thence southerly to and along that boundary and the eastern boundary of Lot 1, D.P. 11852 and Lot 3, D.P. 3138 (underlying) to the northern boundary of Lot 6, D.P. 3138 (underlying); thence westerly along that last-mentioned boundary and its production to and along the southern boundary of Lot 1, D.P. 47517; thence south-westerly and south-easterly along the south-eastern boundary of Lot 1, D.P. 55620 and north-eastern boundaries of Lots 1 and 2, D.P. 45804, Lot 1, D.P. 30092, Lot 1, D.P. 47015 and the production of that boundary across Omapere Street to and along the north-eastern boundary of Lot 4, D.P. 47015, the south-western boundaries of Lot 2, D.P. 47871, Lot 1, D.P. 48596 and the north-eastern boundary of Lot 1, D.P. 33491 to the easternmost corner of that lot; thence south-easterly along the north-eastern boundaries of Lots 3 and 1, D.P. 2544 to the easternmost point of Lot 1, D.P. 2544; thence southerly along the western boundaries of Lots 1 and 2, D.P. 2544 to the northern boundary of Section 35, Horokiwi Road District; thence generally easterly along that boundary, the north-western and northern boundaries of Section 348, Hutt District, and the production of that last-mentioned boundary to the middle of a road, along the middle of that road to a point in line with the northern boundary of Section 349, Hutt District, to and along that boundary and its production to the middle of Belmont Road; thence southerly along the middle of that road to a point in line with the northern boundary of Section 346, Hutt District; thence easterly to and along that boundary and the northern boundary of Section 433, Hutt District, and its production across Murphys Road to the western boundary of Section 436, Hutt District; thence southerly along that last-mentioned boundary and its production to the middle of a road; thence generally