

**134 RATING**

(1) The system of rating in the Upper Hutt City shall be the land value system.

(2) Until the Valuer-General is able to produce a valuation roll for the Upper Hutt City, Part XIV of the Rating Powers Act 1988 shall apply as if the Upper Hutt City was the district of a special purpose authority and the areas from which it was formed were constituent districts.

**135 TOWN AND COUNTRY PLANNING**

(1) The Upper Hutt City Council shall not be required to prepare a new district scheme, immediately, for the Upper Hutt City.

(2) The operative district scheme and the proposed district scheme under the Town and Country Planning Act 1977 of the former authority shall be deemed to be the operative district scheme, or as the case may be, the proposed district scheme, of the Upper Hutt City.

(3) Where any former authority had, prior to its dissolution, begun the preparation of any review of its district scheme or any change or variation thereof, then, subject to any resolution of the Upper Hutt City Council to the contrary, all such preparation shall be deemed to have been done by, or on behalf of, the Upper Hutt City Council and may be adopted and acted upon by it.

(4) Where before the coming into force of this clause any application had been made to any former authority by any person pursuant to any provision of the Town and Country Planning Act 1977, and:

(a) No hearing by that former authority or any committee thereof had begun of such application or any objection thereto, the application shall be deemed to have been made to the Upper Hutt City Council and shall be dealt with by it accordingly; or

(b) Such application had been heard or otherwise disposed of by that former authority and either the time for any appeal against such decision had not expired or notice of appeal had been given, any such appeal shall be deemed to be against the Upper Hutt City Council; or

(c) Such application had been either partly or fully heard or considered by the former authority but no decision thereon had been given, the application shall be heard or considered again by the Upper Hutt City Council or, as the case may require, a committee or delegate thereof.

**136 CIVIL DEFENCE**

The operative local civil defence plan for the district of the former authority shall continue in force in the respective parts of the Upper Hutt City until a new plan is approved for the Upper Hutt City, in accordance with the Civil Defence Act 1983.

**137 VESTING OF PROPERTY**

(1) All property, real and personal, vested in the corporation of any former authority and situated in Upper Hutt City is hereby vested in the corporation of the Upper Hutt City Council, subject to all existing encumbrances.

(2) All property, real and personal, vested in the corporation of any former authority, other than the Porirua City Council, and situated in a district in which that former authority is not also a former authority, is hereby vested in the corporation of the Upper Hutt City Council, subject to all existing encumbrances.

(3) The Keith George Memorial Park, consisting of: Sections 452, 453, 454 and 455, and Part Sections 196 and 197, Hutt District, and Parts Lot 2 and 3, D.P. 7415, Part Lots 1 and 2, D.P. 8202 and Part Lot 2, D.P. 12488, Block IV, Belmont Survey District, comprising 60.5425 hectares more or less, is hereby vested in the Upper Hutt City Council, together with all plant, fixtures, and fittings normally located or based thereon.

**138 TITLE TO PROPERTY**

Any reference, express or implied, to any former authority in any instrument or other document, or in any entry or record made in any register in relation to any property vested in the Upper Hutt City Council by clause 137 of this order shall, unless the context otherwise requires, be read as a reference to "The Upper Hutt City Council".

**PART VIII*****Masterton District*****139 CONSTITUTION OF MASTERTON DISTRICT**

There is hereby constituted a district, to be known as "The Masterton District", which shall comprise the area delineated on S.O. Plan No. 35990 deposited with the Chief Surveyor of the Wellington Land District.

**140 MASTERTON DISTRICT COUNCIL**

A territorial authority, to be known as "The Masterton District Council", is hereby constituted for the Masterton District.

**141 INTERPRETATION**

In this Part of this order:

"The former authorities" means—

- (a) The Masterton District Council; and
- (b) The Eketahuna County Council; and
- (c) The Rangitumau Scenic Reserve Board; and
- (d) The Mauriceville Recreation Reserve Board; and
- (e) The Hastwell Scenic Reserve Board,

and any reference to "former authority" shall be read as a reference to any of the former authorities named in this clause:

"Former Masterton District" means the Masterton District in existence immediately before the coming into force of this clause of this order:

"Former Masterton District Council" means the Masterton District Council in existence immediately before the coming into force of this clause of this order:

"Masterton District" means the Masterton District constituted by this order:

"Masterton District Council" means the Masterton District Council constituted by this order.

**142 WARDS**

- (1) The Masterton District is hereby divided into 2 wards.
- (2) Those 2 wards are:

(a) The Urban Ward, comprising the area delineated on S.O. Plan No. 35991 deposited with the Chief Surveyor of the Wellington Land District:

(b) The Rural Ward, comprising the area delineated on S.O. Plan No. 35992 deposited with the Chief Surveyor of the Wellington Land District.

**143 MEMBERSHIP**

(1) The Masterton District Council shall consist of a Mayor and 15 members.

(2) The members of the Masterton District Council to be elected at the first election of that Council shall be elected as follows:

(a) Nine members shall be elected by the electors of the Urban Ward; and

(b) Six members shall be elected by the electors of the Rural Ward.

**144 FIRST ELECTION**

(1) For the purposes of the first election of the Masterton District Council, the Returning Officer and the principal administrative officer for the Masterton District shall be,