

SOUTH WAIRARAPA DISTRICT COUNCIL

3 JUNE 2020

AGENDA ITEM C3

EXECUTION OF COUNCIL COMMON SEAL

Purpose of Report

To seek approval to ratify the application of the common seal to an indemnity agreement.

Recommendations

Officers recommend that Council:

1. *Receives the Execution of Council Common Seal Report.*
2. *Ratifies the affixation of the Common Seal to the following:*
 - a. *A deed of lease agreement between South Wairarapa District Council(lessee) and Parehua (Martinborough) Holdings (lessor), to lease part of the privately-owned wastewater pipes as per agreed terms, dated 3 April 2020.*

1. Executive Summary

The Council seal has been applied to the agreement as described in the recommendation as per paragraph 3.6 of the Common Seal Policy. A resolution from Council is sought to approve the application, there are no options.

3.6 In the interests of expediency, the Seal may be affixed prior to a formal resolution of the Council, which may only be of a non-contentious or routine nature, in which case the affixing of the seal shall be ratified at the next regular meeting of the Council.

2. Background

This lease is an operational matter undertaken by Council's Group Manager Partnerships and Operations as part of his delegations. Some lawyers still apply the Common Seal to lease and contract agreements, necessitating a request to Council to approve its use.

2.1 Leased Wastewater Pipes

A lease arrangement has been entered into with Parehua Holdings for activities associated with manganese removal plant operations. The lease expires on the 13 November 2024.

3. Financial Implications

There are no financial implications in relation to ratification of the use of the seal.

Contact Officer: Suzanne Clark, Committee Advisor

Reviewed By: Euan Stitt, Group Manager Partnerships and Operations