

SOUTH WAIRARAPA DISTRICT COUNCIL

8 AUGUST 2018

AGENDA ITEM C8

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 information.*
2. *Ratifies the affixation of the Common Seal to the following:*
 - a. *A deed of indemnity agreement between South Wairarapa District Council and the Minister of Transport as a result of legalising an area of road known as Pierce Street dated 23 July 2018.*

1. Execution Under Seal

The Council seal needs to be applied to the agreement as described in the recommendation as per paragraph 3.6 of the Common Seal Policy.

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.

The agreement is attached in Appendix 1.

2. Financial Implications

There are no financial implications.

3. Appendices

Appendix 1 – Indemnity Agreement between SWDC and Minister of Transport

Contact Officer: Suzanne Clark, Committee Secretary
Reviewed By: Paul Crimp, Chief Executive Officer

Appendix 1 – Indemnity Agreement between SWDC and Minister of Transport

DEED OF INDEMNITY

SOUTH WAIRARAPA DISTRICT COUNCIL

MINISTER OF TRANSPORT



Simpson Grierson

Barristers & Solicitors
Auckland, Wellington & Christchurch
New Zealand

www.simpsongrierson.com

DEED DATED *23rd July*

2018

PARTIES

- 1. **SOUTH WAIRARAPA DISTRICT COUNCIL** (the Council)
- 2. **MINISTER OF TRANSPORT** (the Minister)

BACKGROUND

- A. The Council has requested the Minister to legalise an area of road known as Pierce Street, described as Section 3 Survey Office Plan 459002, being 0.3470 hectares more or less (**Road**).
- B. The Minister requires that the Council provide an indemnity in this respect.

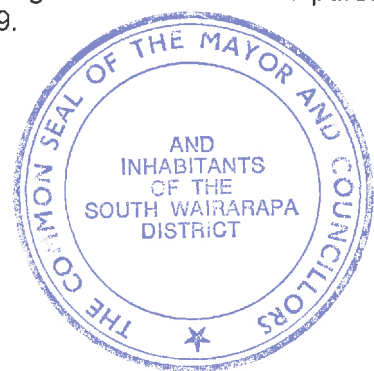
THIS DEED RECORDS THAT:

1. INDEMNITY

The Council will indemnify the Minister in respect of any liability for damages and all actual and reasonable costs that may be incurred by the Minister or the Government of New Zealand arising out of any legal claim in relation to the legalisation of the Road pursuant to section 43(1)(e) Government Roding Powers Act 1989.

EXECUTED AND DELIVERED AS A DEED

Signed on behalf of
SOUTH WAIRARAPA DISTRICT COUNCIL



[Handwritten Signature]

 Name of Authorised Signatory

PAUL CRIMP C.E.O.

 Signature

n/a.

 Name of Authorised Signatory

 Signature