



Report 09.767
Date 1 December 2009
File E/01/01/09

Committee Council
Author Francis Ryan, Manager, Democratic Services

Power of Attorney to sign Deeds

1. Purpose

For the Council to grant a Power of Attorney for the signing of deeds on behalf of the Council.

2. Significance of the decision

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

3. Background

Deeds are routinely entered into by the Council for a wide range of property-related matters. On the grounds of administrative efficiency, the Council, in February 2009, decided that officers should be granted a Power of Attorney to sign deeds on behalf of the Council – Report 09.24 refers. At that time the Council granted a Power of Attorney to David Benham (Chief Executive) and to Jane Bradbury (Divisional Manager, Corporate and Strategy).

4. Comment

With Jane Bradbury's forthcoming retirement from Greater Wellington it is appropriate for the Council to consider granting a new Power of Attorney so that there will continue to be two Greater Wellington officers who each have the power to sign deeds on behalf of the Council. It is proposed that a Power of Attorney to sign deeds on behalf of the Council be granted to Barry Turfrey, Chief Financial Officer. The proposed form of the Power of Attorney is attached as **Attachment 1**.

5. Communication

The Council's decision will be recorded in the delegations register and will be communicated to those persons who prepare deeds for the Council.

6. Recommendations

That the Council:

1. ***Receives*** the report.
2. ***Notes*** the content of the report.
3. ***Grants*** a Power of Attorney to Barry Turfrey, Chief Financial Officer, to sign deeds on behalf of the Council.
4. ***Authorises*** two councillors to sign the Power of Attorney document as a deed.
5. ***Revokes*** the Power of Attorney granted to Jane Bradbury, Divisional Manager.

Report prepared by:

Report approved by:

Francis Ryan
Manager, Democratic
Services

David Benham
Chief Executive

Attachment 1: Power of Attorney to sign deeds – Barry Turfrey, Chief Financial Officer

Power of Attorney to sign Deeds

This is a Power of Attorney by way of a Deed signed by two elected councillors of the Wellington Regional Council, a council under the Local Government Act 2002 on the day of 2009.

Background

- A Wellington Regional Council (“Council”) is a council under the Local Government Act 2002 and is authorised to enter into deeds.
- B Council wishes to grant to Barry Turfrey, Chief Financial Officer, a Power of Attorney to sign deeds on behalf of the Council.

By this Deed

1. Wellington Regional Council hereby appoints Barry Turfrey of Porirua, Chief Financial Officer (“the Attorney”) to be the Council’s attorney to do the following on the Council’s behalf:
 - (a) To sign documents by way of deeds all documents which the Council is authorised to sign, and
 - (b) To continue to exercise the power under paragraph (a) until such time as the Attorney receives notice in writing from the Council revoking this Power of Attorney.
2. Council covenants to rectify any agreement or obligation assumed by the Attorney under any deed signed by the Attorney pursuant to or under this Power of Attorney, and to ratify any act, agreement or obligation assumed by the Attorney and necessary to render the foregoing effectual.

Signed as a Deed on the above date.

Signed by
(*inset name*)
an elected councillor of
Wellington Regional Council
in the presence of

Signed by
(*inset name*)
an elected councillor of
Wellington Regional Council
in the presence of