

Public Excluded

Report No. PE 00.448

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Report to the Utility Services Committee
from Murray Kennedy, Strategy and Asset Manager

Petone Water Supply

1. Purpose

To obtain committee approval in principle to an agreement with the Hutt City Council (HCC) which will enable the Petone area to be supplied with unfluoridated water.

2. Exclusion of the Public

Grounds for exclusion of the public under section 7(2)(h) of the *Local Government Official Information and Meetings Act 1987* are:

That the public conduct of the whole or relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, i.e.; to allow the carrying out of, without prejudice or disadvantage, commercial activities.

3. Introduction

Report 00.149 was considered by the Utility Services Committee in April. The recommendation that the Wellington Regional Council (WRC) pays up to \$207,000 towards the cost of providing the Petone area with unfluoridated water was accepted and approved by the Policy and Finance Committee.

4. Proposal

Several issues, including the cost aspect needed to be agreed with Hutt City Council.

Negotiations have now nearly been concluded and a draft agreement is attached (**Attachment 1**). It has been reviewed by the WRC's legal advisors. Subject to the allocation of funds through both Council Annual Plan processes the construction will be completed by the end of March 2001.

The one area not resolved with HCC is whether or not the agreement should be for a specified time frame. HCC would like an agreement which is effectively perpetual. WRC's legal advisors are strongly against this.

It has not been possible to resolve this issue before the Committee reports were printed. It is possible though that negotiations will have been completed by the time the Committee meets.

Rather than hold up construction it is proposed the Committee Chairman be delegated the responsibility of approving the agreement. HCC has delegated a similar approval to the Chair of their Committee.

5. **Recommendations**

That the Committee:

- (1) *approve draft agreement in principle.*
- (2) *delegates authority to approve the final agreement to the Committee Chairman.*
- (3) *authorises the Council's seal to be affixed to the agreement once approved as in recommendation (2).*

Report prepared by:

Approved by:

MURRAY KENNEDY
Strategy and Asset Manager

DAVID BENHAM
Divisional Manager, Utility Services

Attachment

Attachment 1: Agreement Between: Hutt City Council (HCC)
And Wellington Regional Council (WRC)