

# Management of Potential and Actual Conflicts of Interest – Timaru Proposed District Plan Review

Ensuring a fair and transparent hearing process means that all Commissioners bring an independent and open mind to the role, free of any real, perceived, or potential conflicts of interest that could result in bias and or predetermination.

Conflicts of interest may arise, for example, where a Commissioner:

- Has previously advocated or given evidence in support of a particular position of relevance to the Timaru Proposed District Plan Review; or
- Has previously appeared as a witness or advocate for a party who holds an interest and/or lodged a submission;
- Has an affiliation with a particular interest group, including being a member of an organisation that has lodged a submission; or
- Has a private interest, including but not limited to an interest in property.

As part of the appointment process, the Council required potential Commissioners to declare any conflicts of interest. The Council did not identify any declared actual or potential conflicts as precluding the appointment of the Hearings Panel members.

The Hearings Panel notes that one of the Commissioners is an elected member of the Council.

Following appointment, the Hearings Panel has disclosed any actual, perceived, or potential conflicts of interest and has agreed to regularly review these during the course of the hearings. The Chair will update the Register throughout the hearing process, as and when any conflicts are identified. The Register identifies how any conflicts will be managed.

The Register will be available on the Timaru Proposed District Plan Review website.

Any party to the hearing process is entitled to raise conflicts of interests with the Chair. This should occur before the hearing commences through the Hearings Administrator and at the latest, at the commencement of the hearing.

The Chair is responsible for determining whether a Commissioner should stand aside from any specific hearings (and consequently any deliberations and recommendations on those hearings) by reason of any conflict of interest. If any issue arises in respect of the Chair, the balance of the Hearing Panel will determine the appropriate course of action.

Register of Interests or Conflicts		
Commissioner	Matter	Management of Actual or Perceived Conflict
Stacey Scott	Helicopters South Canterbury 2015 Ltd (53) - Commissioner’s spouse has used their services to spray gorse.	Interest disclosed, no further action required.
Stacey Scott	Ballance AgriNutrients Limited (86) - Commissioner’s spouse is a shareholder.	Interest disclosed, no further action required.
Stacey Scott	Pye Group Limited (35) - Michelle Pye is a fellow Timaru District Councilor.	Interest disclosed, no further action required.

Stacey Scott	Federated Farmers (182) - Commissioner's spouse is a member.	Interest disclosed, no further action required.
Stacey Scott	Bruce Speirs (66) is engaged as a surveyor by the Commissioner's spouse.	Interest disclosed, no further action required.
Cindy Robinson	Foodstuffs South Island Limited (193.2) - Commissioner Robinson provided advice to a neighbouring property owner in relation to an earlier expansion of the supermarket activity.	Commissioner Robinson recused herself from considering the rezoning request in 193.2 as a precaution.
Cindy Robinson	Te Rūnanga o Ngāi Tahu (185). Advisory role 2021-2022 in relation to Natural and Built Environment Bill. Not ongoing.	Disclosed to TDC prior to appointment. No action required.
Megan McKay	Taumutu Rūnanga has over 30,000 registered members, of which Megan McKay is a whakapapa member. Some members of Taumutu Rūnanga have Māori land interests within the Timaru District, including Waipopo. Megan McKay has no Māori land interests and neither do any members of her immediate family.	Interest disclosed, no further action required.
Jane Whyte	Commissioner Whyte lodged a submission on the Proposed Te Tai o Poutini Plan – West Coast District Plan related to mapping of natural hazards in relation to a property in Punakaiki.	Commissioner Whyte will not participate in decision making on the Natural Hazards topic.
Stacey Scott	Commissioner Scott and Julia Crossman from Opuha Water Ltd (181) are both appointed to the same Junior Netball Committee, and do not know Ms Crossman personally other than their roles on the Committee.	Interest disclosed, no further action required.
Raewyn Solomon	Some members of Taumutu Rūnanga have Māori land interests within the Timaru District, including Waipopo. Commissioner Solomon is employed by Taumutu Rūnanga in a project management capacity. This does not involve any work related to RMA policy or resource consents.	Interest disclosed, no further action required.
Megan McKay	Commissioner McKay has recently been contracted by Waihao Rūnanga Inc Society as a consultant, for a short period. A Canterbury based Rūnanga, Waihao centres on Wainono, sharing interests with Te Rūnanga o Arowhenua Inc Society (Arowhenua Rūnanga) to the Waitaki River, and extends inland to Omarama and the Southern Alps/Kā Tiritiri o te Moana. Waihao Rūnanga have not submitted. Aoraki Environmental Consultancy Limited (AECL) has been engaged directly by Council to provide advice into appropriate parts of the PDP. AECL is a fully owned subsidiary company of Arowhenua Rūnanga and is separate from Waihao Rūnanga. Contract is now at an end.	Interest disclosed, no further action required.

Megen McKay	<p>Commissioner McKay has recently been appointed as a Councillor on the Canterbury Regional Council (Environment Canterbury) pursuant to the Canterbury Regional Council (Ngāi Tahu Representation) Act 2022. Environment Canterbury is a submitter on the PDP.</p>	<p>Interest disclosed and Panel Chair issued Minute 49 allowing for submitter comment (pending).</p> <p>No current conflict. Commissioner McKay's appointment post dates the conduct of hearings and Commissioner McKay did not sit on the Panel considering Natural Hazards where the TDC relied on evidence from Environment Canterbury in support of recommendations. Commissioner McKay has had no role in the preparation or presentation of Environment Canterbury's submission and will not participate in any Environment Canterbury Decision Making arising from Panel decisions on the PDP.</p> <p>Commissioner McKay's appointment by Te Rūnanga o Ngāi Tahu is unrelated to Te Rūnanga o Ngāi Tahu submission on the PDP and Commissioner McKay's whakapapa has previously been disclosed and is not considered a conflict of interest.</p>
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