

Canterbury Regional Council
Proposed Plan Change 6 (Wairewa)
to the
partially operative Canterbury Land and Water Regional Plan

MINUTE OF HEARING COMMISSIONERS
on potential Hearing Commissioner conflict of interest

[Minute 4]

THE SITUATION

1. We have been advised of a potential conflict of interest by Commissioner Dr Jane Kitson. Dr Kitson's statement is attached.

OUR POSITION

2. It is the Chairman's view that the pending employment of Dr Kitson by Ngāi Tahu is such that it is not necessary for her to recuse herself for the following reasons:
 - we have completed our findings on the provisions in Plan Change 6 Wairewa;
 - at the end of the hearing all but one minor matter had been agreed between Ngāi Tahu and the Council;
 - no other party had issue with the agreement reached between Ngāi Tahu and the Council.
3. Further, in the circumstances of this case, any possible conflict would not be such that Dr Kitson could not continue in an unbiased manner.

OPPORTUNITY FOR APPLICATION

4. However, in the interests of fairness, we wish to give any party who considers themselves affected to make an appropriate application.
5. Any application is to be lodged with the Hearing Manager by 5 PM Tuesday 12 July 2016. Any application should be emailed to the following address sarah.drummond@ecan.govt.nz

A handwritten signature in blue ink, appearing to read 'Gordon Whiting', with a long horizontal flourish extending to the right.

Gordon Whiting for and on behalf of the Panel

Gordon Whiting (Chairperson)

Andrew Fenemor

6 July 2016



Memorandum

Signaling an upcoming potential conflict of interest as a Hearing Panel member to PC6 (Wairewa)

To: Retired Judge Gordon Whiting (Chairperson)

CC: Hearing Commissioner Mr Andrew Fenemor, Hearing Manager Peter Constantine

Author: Dr Jane Kitson

Date: 29 June 2016

Tēnā koe Gordon,

I am writing to you to inform you of a potential conflict that will soon arise, through my upcoming employment by Te Rūnanga o Ngāi Tahu (TRONT). On the 18th July 2016, I commence a new position as the Senior Environmental Advisor Mahinga Kai/ Freshwater Monitoring, based in Invercargill.

As the last set of deliberations will occur during the start of my employment I thought it prudent to notify you of my changing circumstance, and to signal the need to assess if this would be perceived as a conflict of interest in what remains of the deliberations process.

I signal this because TRONT supported Wairewa Runanga (a significant submitter on PC6) and I am concerned that that may be perceived as a potential conflict of interest for me.

Nāku, nā

A handwritten signature in blue ink, appearing to read 'Jane Kitson', written in a cursive style.

Dr Jane Kitson