

Memorandum

From: Greg Ryder, Ryder Environmental Limited

To: Greg Hill (Chairman of the Waikato Regional Council appointed Hearings Panel to hear submissions on the Proposed Plan Change 1 and Variation 1 (Plan Change) to the Waikato Regional Plan)

Subject: **Preliminary matter for clarification: Potential for perceived conflict**

Date: 19 December 2018

Dear Greg,

Background

The Healthy Rivers Hearing Coordinator (Steve Rice) has forwarded me two letters from counsel representing Ballance Agri-Nutrients Limited (Ballance) and King Country Energy Limited (KCE), both submitters to the Proposed Plan Change 1 Waikato and Waipa River Catchments. Both letters raise an issue relating to a potential conflict of interest associated with my position as an independent commissioner appointed to the Hearings Panel associated with the proposed plan change. I understand that you have also received copies of these letters.

I note that both submitters do not consider that there is an actual conflict of interest, but have sought to raise the issue of perceived conflict of interest.

The key element of both letters relates to the fact that both Ballance and KCE were clients of Ryder Consulting Limited, a company that I established in 1995 and was a director of until the end of September 2017.

At the end of September 2017, Ryder Consulting underwent a demerger that, in simple terms, involved ecology and water quality staff (including myself) splitting away to form a completely new and independent company (Ryder Environmental Limited) and RMA planning and policy staff remaining within Ryder Consulting (and subsequently renaming to Enspire Consulting Ltd.).

KCE

While at Ryder Consulting, I provided ecological and water quality advice to KCE in relation to the operation of some of its North Island hydroelectric power stations, but none of this advice related to the Proposed Plan Change 1 Waikato and Waipa River Catchments. To my recollection, I have never been approached by KCE to provide such advice, nor have my colleagues at Ryder Environmental.

I have discussed work relationships with my colleagues at Ryder Environmental. The only work that has recently been undertaken for KCE, and may be ongoing, is the provision of advice in relation to upstream and downstream fish passage at the Wairere and Mokauiti

hydroelectric power schemes (Mokau River catchment). Previous work for KCE has included water quality sampling in relation to the Mokau, Mokauiti, Whanganui, Kuratau, Mangahao and Mangaore HEP schemes, and collection of some data for the Wairere Needles Gate project (Mokau River).

I also note, for completeness, that ownership of KCE assets was recently acquired by Trustpower Limited, a company which was a client of Ryder Consulting and remains a client of Ryder Environmental. I have had a long working relationship with Trustpower and have recently provided aquatic ecological and water quality advice in relation to a number of its hydroelectric power schemes outside of the Waikato region.

Ballance

I am aware that Ryder Consulting provided largely planning and policy advice to Ballance, and at times may have provided comments to planning and policy staff on matters relating to aquatic ecology and water quality, however, I have not undertaken any work for Ballance, or been approached by them, in relation to the Waikato Proposed Plan Change. Nor has any other of my colleagues at Ryder Environmental.

Concluding comments

It's correct to state that I was largely ignorant of the Proposed Plan Change process until being approached by Waikato Regional Council staff about the possibility of being a member of the Hearings Panel.

I take the role of an independent commissioner very seriously and treat all hearings with an open mind and assess all material presented to me on its merits, irrespective of the parties and individuals involved, and I remain having an open mind on all matters relating to Proposed Plan Change 1.

I do not consider the above working relationships represent conflicts of interest with respect to my role as a panel member for the Proposed Plan Change 1 Waikato and Waipa River Catchments hearing, however, I am happy to accept any recommendation from you on this matter.

Yours sincerely,



Greg Ryder