

Megan Yardley

From: [REDACTED]
Sent: Wednesday, August 7, 2024 12:33 PM
To: Rick.Curac@~~xx~~Glen.Crowther@tauranga.govt.nz;
Steve.Mor@~~xx~~
Cc: [REDACTED]
Subject: RE: Conflict of interests.

CAUTION: External Email.

Hi All

Below is an email I have sent to The Mayor, Councilor Taylor and the CE.'

[REDACTED]

Dear Sirs

Having followed the recent elections closely I became aware in various statements by candidates and particularly the successful candidates, that conflicts of interest are likely to be a major issue for this council.

Below is a conflict occurring whenever discussion relates to the CBD.

Rob Taylor - Candidate for Te Papa Ward

Here is the link to the video Rob made to promote his candidacy.

<https://youtu.be/utOMwZWYywU>

In it he clearly states ...

"I am very passionate about the city centre rebuild and whats happening there.

As the owner of the Luxe Cinemas and the Shoe Lounge, I have 2 businesses and have 'skin in the game' as they say. I'm also very keen to communicate with the residents and business owners in the city as the changes happen to make sure we are going in the right direction."

Given this clear conflict of interest, Rob Taylor must abstain from any discussion or vote in regard to the city centre.

There are also conflicts of interest relating to relationships with major property developers in our city which will occur in many items for considerations.

The current 'Elected Members Interest Disclosure' procedure can be found here:

[elected_members_interests_disclosure_procedure.pdf \(tauranga.govt.nz\)](#)

Sincerely

[REDACTED]



Megan Yardley

From: [REDACTED]
Sent: Wednesday, August 7, 2024 12:20 PM
To: mayor@tauranga.govt.nz; marty.grenfell@tauranga.govt.nz
Cc: [REDACTED]
Subject: TC Councilors - Conflicts of interest

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Sincerely

[REDACTED]

Megan Yardley

From: Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Sent: Wednesday, August 7, 2024 5:51 PM
To: [REDACTED] Mayor Mahé Drysdale
Cc: Councillor Taylor
Subject: RE: TC Councilors - Conflicts of interest

Good evening [REDACTED]

Thank you for your correspondence.

There are clear guidelines on conflicts of interest in respect of elected members and I can assure you these will be used to guide any involvement in decisions that they will be required to make, in their capacity as councillors.

Regards

Marty Grenfell | Chief Executive
Tauranga City Council | 07 5777 010 | 027 215 6563 marty.grenfell@tauranga.govt.nz | www.tauranga.govt.nz

From: [REDACTED]
Sent: Wednesday, August 7, 2024 12:20 PM
To: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
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Sincerely

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Megan Yardley

From: [REDACTED]
Sent: Thursday, August 8, 2024 1:14 PM
To: Steve.Mor@xx
Subject: RE: TC Councilors - Conflicts of interest / Reply

CAUTION: External Email.

Hi
Below is the reply from Marty Grenfell to my letter yesterday.
Regards
[REDACTED]

From: Marty Grenfell <marty.grenfelx@xxxxxxxx.xxxx.nz>
To: [REDACTED]
Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
CC: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Subject: RE: TC Councilors - Conflicts of interest
Date: Wed, 7 Aug 2024 05:51:13 +0000
Good evening [REDACTED]

Thank you for your correspondence.

There are clear guidelines on conflicts of interest in respect of elected members and I can assure you these will be used to guide any involvement in decisions that they will be required to make, in their capacity as councillors.

Regards

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Tauranga City Council | 07 5777 010 | 027 215 6563 marty.grenfell@tauranga.govt.nz |
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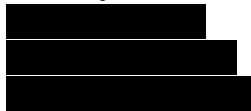
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Megan Yardley

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Thursday, August 8, 2024 4:18 PM
To: Councillor Taylor
Subject: Conflict of Interest

Hi Rod,

What I heard today when this matter was discussed was very concerning - seemingly being totally dismissive of the seriousness of the situation and legal requirements.

Please refer to the link below and consider the matters impartially, keeping your mind open and focused.

If still in doubt, ask the OAG for its opinion.

I'm trying to protect you and the reputation of this new council.

Meantime, I've asked Coral to ensure all EMs have a session with an expert from OAG before commencing our decision-making.

Cheers,

Rick

<https://oag.parliament.nz/2020/lamia/part4.htm>

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Megan Yardley

From: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Sent: Thursday, August 8, 2024 5:17 PM
To: Councillor Curach
Subject: Re: Conflict of Interest

Thanks Rick. I did some work on this before running and was assured general CBD stuff that wasn't directly related to my businesses would be fine. Obviously if it gets close I will recuse myself.

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From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
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From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Friday, August 9, 2024 10:27 AM
To: Coral Hair
Cc: Christine Jones; Councillor Taylor
Subject: Re: Declaration of Interests

That's reassuring, thanks Coral.

Given the message from [REDACTED] and the possibility of a complaint to the OAG, I messaged Cr Taylor yesterday and included the link to the OAG page, which provides some guidance to EMs.

<https://oag.parliament.nz/2020/lamia/part4.htm>

Thanks again,

Rick

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From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Friday, August 9, 2024 10:03 AM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Cc: Christine Jones <Christine.Jones@tauranga.govt.nz>
Subject: RE: Declaration of Interests

Kia ora Rick

Thanks for your email about conflicts of interest and your concern for members to have an understanding of the legislation relating to this.

[REDACTED] from Tompkins Wake will provide training for elected members on conflicts of interest as part of her legal induction. This is happening on Monday, 12 August from 1-3:30 pm.

[REDACTED] will also cover off decision-making requirements in the LGA as well as other pieces of legislation relating to elected members.

Following [REDACTED] session I will send out a pecuniary interest form for members to complete.

There is new legislation on pecuniary interests which [REDACTED] will cover in more detail, and which was summarised in the report on legislative advice to the incoming council at the Inaugural Council meeting. And of course elected members are required to declare non-pecuniary interests as well at any meetings they attend. There is a standard agenda item for members to declare any conflicts of interest on all Council and committee meetings.

Ngā mihi

Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



Pronouns: She/Her

Make flexibility work – if you receive an email from me outside of normal business hours, I am sending it at a time that suits me. I am not however expecting you to read it and/or reply until normal business hours.

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Thursday, August 8, 2024 3:18 PM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Subject: Re: Declaration of Interests

Hi Coral,

EMs received a message from a member of the public today around a potential conflict of interest matter.

This now heightens the need for members to have a strong understanding of the requirements.

I feel we must have a session with an expert on the subject before undertaking any decision-making and particularly the meeting on the 19th, as it has the potential to compromise the reputation of the new council.

Thanks,

Rick

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From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 1:25:57 PM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: RE: Declaration of Interests

Hi Rick

I understood there would be a session next week. I'll check with Maree, as the schedules do change.

Ngā mihi

Coral

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 12:59 PM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Subject: Re: Declaration of Interests

Thanks Coral. I've looked at our calendar and can't find reference to it.

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From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 12:50 PM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: Re: Declaration of Interests

Thanks Rick

That register will be updated to reflect the new legislation relating to pecuniary interests.

I will circulate a new form to be completed after your induction session on legal requirements of elected members next week.

Nga mihi
Coral

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From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 11:59:51 AM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Subject: Declaration of Interests

Hi Coral,
Please find attached my declaration for the member interests register.
Cheers,
Rick

Rick Curach | Councillor
Tauranga City Council | 027 266 3944 |
rick.curach@tauranga.govt.nz | www.tauranga.govt.nz



Megan Yardley

From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Friday, August 9, 2024 10:44 AM
To: Councillor Curach
Cc: Christine Jones; Councillor Taylor; Marty Grenfell
Subject: RE: Declaration of Interests

Kia ora Rick

I haven't seen the message that you refer to about a possible complaint to the Office of the Auditor General (OAG) and cannot comment about this specifically, however, if you have any questions about this please contact Marty Grenfell or Christine Jones and they will provide specific advice.

As we discussed earlier [REDACTED] will be providing training on Monday and in that session she will cover conflicts of interest and you can ask questions about processes for complaints to the OAG.

As part of our longer term induction for elected members we will be inviting senior staff from the Office of the Auditor General to speak about their roles and interactions with the Council, including their guidance to elected members.

The document you refer to is also available in Stellar Library – TCC 2024-28 Elected Members – Administration/Induction – Documents – Guidance for members of local authorities about the law on conflict of interest (OAG).

Ngā mihi
Coral

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Megan Yardley

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Sent: Friday, August 9, 2024 10:49 AM
To: Coral Hair
Cc: Councillor Curach
Subject: FW: TC Councilors - Conflicts of interest

Morena Coral

For your info – see below. Marty replied which I'll send you also.

RT

Rod Taylor | Councillor
Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



From: [REDACTED]
Sent: Wednesday, August 7, 2024 12:20 PM
To: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>
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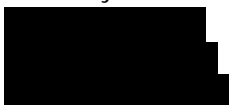
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As per last email

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Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



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Sent: Friday, August 9, 2024 11:00 AM
To: Councillor Taylor
Cc: Councillor Curach; Christine Jones
Subject: RE: TC Councilors - Conflicts of interest

Kia ora Cr Taylor

Thanks for providing that information.

The elected members interests legislation has changed since that procedure and form was developed. A new form will be available for elected members to complete that meets the new requirements and this will be circulated following the training with [REDACTED] on Monday.

Ngā mihi
Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



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Sent: Wednesday, August 7, 2024 5:51 PM
To: [REDACTED]; Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>

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Marty Grenfell | Chief Executive

Tauranga City Council | 07 5777 010 | 027 215 6563 marty.grenfell@tauranga.govt.nz | www.tauranga.govt.nz

From: [REDACTED]

Sent: Wednesday, August 7, 2024 12:20 PM

To: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>

Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>

Subject: TC Councilors - Conflicts of interest

CAUTION: External Email.

Dear Sirs

Having followed the recent elections closely I became aware in various statements by candidates and particularly the successful candidates, that conflicts of interest are likely to be a major issue for this council.

Below is a conflict occurring whenever discussion relates to the CBD.

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In it he clearly states ...

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Sincerely



Megan Yardley

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Monday, August 12, 2024 8:05 AM
To: [REDACTED]@tompkinswake.co.nz
Cc: Coral Hair; Christine Jones; .Elected Members
Subject: Re: TC Councilors - Conflicts of interest

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I sent the member this link: <https://oag.parliament.nz/2020/lamia/part4.htm>

See you 1pm.

Ngā mihi,
Rick

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Ngā mihi

Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



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As per last email

Rod Taylor | Councillor
Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



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To: [REDACTED] Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
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Megan Yardley

From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Monday, August 12, 2024 8:22 AM
To: Alastair McNeil; Marty Grenfell
Cc: Christine Jones
Subject: FW: TC Councilors - Conflicts of interest

Mōrena

FYI – please see Cr Curach's email to [REDACTED]

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Ngā mihi
Coral

Coral Hair | Manager Democracy and Governance Services
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To: [REDACTED]@tompkinswake.co.nz
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Ngā mihi,
Rick

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As per last email

Rod Taylor | Councillor
Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



From: Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Sent: Wednesday, August 7, 2024 5:51 PM
To: [REDACTED] Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
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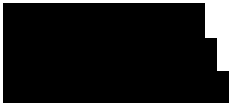
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Sincerely

A black rectangular redaction box covering the signature of the sender.

Megan Yardley

From: Alastair McNeil <Alastair.McNeil@tauranga.govt.nz>
Sent: Monday, August 12, 2024 8:54 AM
To: Coral Hair; Marty Grenfell
Cc: Christine Jones
Subject: RE: TC Councilors - Conflicts of interest

Mōrena Coral

Thanks for that – looks like it will come up in [REDACTED] session this afternoon.

Perhaps connect with [REDACTED] beforehand to make sure we are prepared.

I will also talk to her.

Warm regards | Ngā mihi

Alastair McNeil

| General Manager, Corporate Services | Tauranga City Council | 07 577 7152 | 027 218 3277 |
alastair.mcneil@tauranga.govt.nz
www.tauranga.govt.nz



From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Monday, 12 August 2024 8:22 am
To: Alastair McNeil <Alastair.McNeil@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>
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Sent: Monday, August 12, 2024 8:05 AM
To: [REDACTED] <[\[REDACTED\]@tompkinswake.co.nz](mailto:[REDACTED]@tompkinswake.co.nz)>
Cc: Coral Hair <Coral.Hair@tauranga.govt.nz>; Christine Jones <Christine.Jones@tauranga.govt.nz>; .Elected Members <ElectedMembers@tauranga.govt.nz>
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See you 1pm.

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As per last email

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rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



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To: [REDACTED] Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
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Subject: Re: TC Councilors - Conflicts of interest

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Thank you Cr Currach.

I appreciate your interest in this matter and look forward to meeting you this afternoon.

However, what I will be presenting is a high level training session. I have done many of these for many councils over the last twenty years, and my no. 1 rule (which I will state at the beginning of the session) is that I do not get involved in any live and controversial issues.

There are good reasons for this - the main ones being that I can never be sure that the full background is being provided and that legal opinions given on the fly are not necessarily reliable.

I am sorry to disappoint you on this matter, but hopefully the session will make this area a little clearer in any event.

Regards

Ngā mihi

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Nationally Focused.
Globally Connected.

Auckland | Hamilton | Rotorua | Tauranga | **New Zealand**

tompkinswake.com



My usual working hours are Monday to Wednesday 8:30 am to 5:00 pm but I can be contacted by phone or email outside of those hours.

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Monday, August 12, 2024 8:05:23 AM
To: [REDACTED]@tompkinswake.co.nz>
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Sent: Wednesday, August 7, 2024 5:51 PM
To: [REDACTED]; Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Subject: RE: TC Councilors - Conflicts of interest

Good evening [REDACTED]

Thank you for your correspondence.

There are clear guidelines on conflicts of interest in respect of elected members and I can assure you these will be used to guide any involvement in decisions that they will be required to make, in their capacity as councillors.

Regards

Marty Grenfell | Chief Executive
Tauranga City Council | 07 5777 010 | 027 215 6563 marty.grenfell@tauranga.govt.nz | www.tauranga.govt.nz

From: [REDACTED]
Sent: Wednesday, August 7, 2024 12:20 PM
To: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Subject: TC Councilors - Conflicts of interest

CAUTION:External Email.

Dear Sirs

Having followed the recent elections closely I became aware in various statements by candidates and particularly the successful candidates, that conflicts of interest are likely to be a major issue for this council.

Below is a conflict occurring whenever discussion relates to the CBD.

Rob Taylor - Candidate for Te Papa Ward

Here is the link to the video Rob made to promote his candidacy.

<https://youtu.be/utOMwZWYywU>

In it he clearly states ...

"I am very passionate about the city centre rebuild and whats happening there.

As the owner of the Luxe Cinemas and the Shoe Lounge, I have 2 businesses and have 'skin in the game' as they say. I'm also very keen to communicate with the residents and business owners in the city as the changes happen to make sure we are going in the right direction."

Given this clear conflict of interest, Rob Taylor must abstain from any discussion or vote in regard to the city centre.

There are also conflicts of interest relating to relationships with major property developers in our city which wil occur in many items for considerations.

The current 'Elected Members Interest Disclosure' procedure can be found here:

[elected_members_interests_disclosure_proceedure.pdf \(tauranga.govt.nz\)](#)

Sincerely

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Megan Yardley

From: Christine Jones <Christine.Jones@tauranga.govt.nz>
Sent: Monday, August 12, 2024 9:44 AM
To: Alastair McNeil; Marty Grenfell
Subject: FW: TC Councilors - Conflicts of interest

fyi

From: [REDACTED]@tompkinswake.co.nz
Sent: Monday, August 12, 2024 9:42 AM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Cc: Coral Hair <Coral.Hair@tauranga.govt.nz>; Christine Jones <Christine.Jones@tauranga.govt.nz>; .Elected Members <ElectedMembers@tauranga.govt.nz>
Subject: Re: TC Councilors - Conflicts of interest

CAUTION: External Email.

Thank you Cr Currach.

I appreciate your interest in this matter and look forward to meeting you this afternoon.

However, what I will be presenting is a high level training session. I have done many of these for many councils over the last twenty years, and my no. 1 rule (which I will state at the beginning of the session) is that I do not get involved in any live and controversial issues.

There are good reasons for this - the main ones being that I can never be sure that the full background is being provided and that legal opinions given on the fly are not necessarily reliable.

I am sorry to disappoint you on this matter, but hopefully the session will make this area a little clearer in any event.

Regards

Ngā mihi

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My usual working hours are Monday to Wednesday 8:30 am to 5:00 pm but I can be contacted by phone or email outside of those hours.

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>

Sent: Monday, August 12, 2024 8:05:23 AM

To: [REDACTED] <[\[REDACTED\]@tompkinswake.co.nz](mailto:[REDACTED]@tompkinswake.co.nz)>

Cc: Coral Hair <Coral.Hair@tauranga.govt.nz>; Christine Jones <Christine.Jones@tauranga.govt.nz>; .Elected Members <ElectedMembers@tauranga.govt.nz>

Subject: Re: TC Councilors - Conflicts of interest

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Hi [REDACTED]

I'm looking forward to our session this afternoon, particularly around conflicts of interest.

Re some background on my experience around conflicts of interest, during the campaign period prior to being first elected in 2001, there was talk of a councillor having undeclared interests in the CBD.

On investigation, I was surprised to find that there was not a public register of member interests, nor any law requiring such disclosures.

So, I drafted a Notice of Motion where I sought to require members to make declarations that would be appear on a publicly available web register. It was supported and it became very helpful tool in suppressing unfounded suspicions/speculation of conflicts of interest held by council members. Interestingly, a few years later the policy was reviewed with a view to increase disclosure requirements, but the result was it being watered down!

Finally, years later a section was added in legislation requiring all councils to do so.

So, the purpose of this message - last week a member of the public emailed members pointing out a potential conflict of interest situation - please refer to the message forwarded below, which I think would be very useful to include as a case study during our session.

The member in question told me he had sought and received advice that no conflict of interest existed and is happy to participate in the 19 August decision to continue with the construction of TCC's civic centre project.

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I sent the member this link: <https://oag.parliament.nz/2020/lamia/part4.htm>

See you 1pm.

Ngā mihi,
Rick

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From: Coral Hair <Coral.Hair@tauranga.govt.nz>

Sent: Friday, August 9, 2024 11:00 AM

To: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>

Cc: Councillor Curach <Rick.Curach@tauranga.govt.nz>; Christine Jones <Christine.Jones@tauranga.govt.nz>

Subject: RE: TC Councilors - Conflicts of interest

Kia ora Cr Taylor

Thanks for providing that information.

The elected members interests legislation has changed since that procedure and form was developed. A new form will be available for elected members to complete that meets the new requirements and this will be circulated following the training with [REDACTED] on Monday.

Ngā mihi
Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



Pronouns: She/Her

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From: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Sent: Friday, August 9, 2024 10:50 AM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Cc: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: FW: TC Councilors - Conflicts of interest

As per last email

Rod Taylor | Councillor
Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



From: Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Sent: Wednesday, August 7, 2024 5:51 PM
To: [REDACTED] Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Subject: RE: TC Councilors - Conflicts of interest

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Sincerely



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Megan Yardley

From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Monday, August 12, 2024 9:45 AM
To: Alastair McNeil; Marty Grenfell
Subject: FW: TC Councilors - Conflicts of interest

FYI - Coral

From: [REDACTED]@tompkinswake.co.nz
Sent: Monday, August 12, 2024 9:42 AM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Cc: Coral Hair <Coral.Hair@tauranga.govt.nz>; Christine Jones <Christine.Jones@tauranga.govt.nz>; .Elected Members <ElectedMembers@tauranga.govt.nz>
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Cc: Coral Hair <Coral.Hair@tauranga.govt.nz>; Christine Jones <Christine.Jones@tauranga.govt.nz>; .Elected Members <ElectedMembers@tauranga.govt.nz>

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I sent the member this link: <https://oag.parliament.nz/2020/lamia/part4.htm>

See you 1pm.

Ngā mihi,
Rick

Get [Outlook for iOS](#)

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Sent: Friday, August 9, 2024 11:00 AM

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Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



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Subject: FW: TC Councilors - Conflicts of interest

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Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



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Subject: RE: TC Councilors - Conflicts of interest

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From: [REDACTED]
Sent: Wednesday, August 7, 2024 12:20 PM
To: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>
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Megan Yardley

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Sunday, August 18, 2024 1:55 PM
To: .Elected Members
Subject: Re: Declaration of Interests

Hi all,

I am very concerned of the potential for this decision to be subject to judicial review due to the likelihood of a complaint being lodged and a subsequent OAG Conflict of Interest determination finding that a participating member had a pecuniary conflict of interest.

Such an outcome has a potential to risk the project and bring this council into disrepute.

I refer to the message from [REDACTED] stating that Cr Taylor has publicly disclosed that he owns 2 businesses in the CBD and has "skin in the game".

We have received information that the TMO TP project will deliver material, quantifiable economic gains to the CBD, e.g. 3x visitors.

Rod had sought and received advice that he does not have a conflict of interest and can participate. The act of seeking this advice, in itself, indicates that Rod was in doubt at the time and we know the phrase that applies to us – "If in doubt, pull out".

The OAG makes it very clear that a member cannot rely on advice when deciding to participate anyhow, and that the member must apply to the OAG for an exemption in order to allow participation.

As 8 of us are newbies, it would be helpful if members please refer to the link below and run a hypothetical scenario yourself.

<https://oag.parliament.nz/2020/lamia/part4.htm>

Please refer to the email from Coral below. It is my opinion that Member Declarations process should have been dealt with prior to our first Council meeting, let alone tomorrow's significant decision.

See you all tomorrow,
Rick

From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Thursday, August 15, 2024 6:03:48 PM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: RE: Declaration of Interests

Kia ora Rick

The pecuniary interest forms will be sent out after 26 August as there is a report on that meeting to appoint the Registrar and then the Registrar has the responsibility for compiling and maintaining the register. There will be some guidance material sent out with the forms and explanation of definitions to assist members fill out the form.

The form will be an online form.

Ngā mihi
Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



Pronouns: She/Her

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From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Thursday, August 15, 2024 7:29 AM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Subject: Re: Declaration of Interests

Morena Coral,

Just wondering when EMs will receive the conflict of interest - member declaration form, as were undertaking our decision-making duties today.

Oh, and another minor thing – when reading today's agenda and looking at the Inaugural meeting agenda, could I suggest that the template be changed – page 10 Order of Business, could I suggest that 4.4 & 4.5 be swapped around to avoid another "letting the cat out of the bag" incident by swapping around 4.4 & 4.5 to allow the new deputy mayor to speak first then followed by the councillors. Just a little fine tuning :)

Another stunner day today!

Ngā mihi,
Rick

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From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Friday, August 9, 2024 10:03:45 AM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Cc: Christine Jones <Christine.Jones@tauranga.govt.nz>
Subject: RE: Declaration of Interests

Kia ora Rick

Thanks for your email about conflicts of interest and your concern for members to have an understanding of the legislation relating to this.

██████████ from Tompkins Wake will provide training for elected members on conflicts of interest as part of her legal induction. This is happening on Monday, 12 August from 1-3:30 pm.

██████████ will also cover off decision-making requirements in the LGA as well as other pieces of legislation relating to elected members.

Following ██████████ session I will send out a pecuniary interest form for members to complete.

There is new legislation on pecuniary interests which [REDACTED] will cover in more detail, and which was summarised in the report on legislative advice to the incoming council at the Inaugural Council meeting. And of course elected members are required to declare non-pecuniary interests as well at any meetings they attend. There is a standard agenda item for members to declare any conflicts of interest on all Council and committee meetings.

Ngā mihi
Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



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From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Thursday, August 8, 2024 3:18 PM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Subject: Re: Declaration of Interests

Hi Coral,
EMs received a message from a member of the public today around a potential conflict of interest matter. This now heightens the need for members to have a strong understanding of the requirements. I feel we must have a session with an expert on the subject before undertaking any decision-making and particularly the meeting on the 19th, as it has the potential to compromise the reputation of the new council.
Thanks,
Rick

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From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 1:25:57 PM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: RE: Declaration of Interests

Hi Rick

I understood there would be a session next week. I'll check with Maree, as the schedules do change.

Ngā mihi
Coral

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 12:59 PM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Subject: Re: Declaration of Interests

Thanks Coral. I've looked at our calendar and can't find reference to it.

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From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 12:50 PM
To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: Re: Declaration of Interests

Thanks Rick

That register will be updated to reflect the new legislation relating to pecuniary interests.

I will circulate a new form to be completed after your induction session on legal requirements of elected members next week.

Nga mihi
Coral

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From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Tuesday, August 6, 2024 11:59:51 AM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Subject: Declaration of Interests

Hi Coral,
Please find attached my declaration for the member interests register.
Cheers,
Rick

Rick Curach | Councillor
Tauranga City Council | 027 266 3944 |
rick.curach@tauranga.govt.nz | www.tauranga.govt.nz



Megan Yardley

From: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
Sent: Sunday, August 18, 2024 6:43 PM
To: Councillor Curach; Elected Members
Subject: RE: Declaration of Interests

Thanks Rick

Appreciate your concern in this.

I personally take a very different approach and think this is a very long bow to draw and thought that from the original email.

The matter/decision is will we sign a construction contract and how will this be funded. I don't believe Rod has any conflict in this, if he were to withdraw I think we are reacting to an incorrect narrative and could cause plenty of perceived conflicts going forward.

Rod did the right thing by getting advice after receiving an email and being new he wasn't sure. Ultimately its Rod's decision but we don't need to react to every email we receive.

Happy to hear any other views.

Mahé

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Sunday, August 18, 2024 1:55 PM
To: Elected Members <ElectedMembers@tauranga.govt.nz>
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See you all tomorrow,
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To: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: RE: Declaration of Interests

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Ngā mihi
Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



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Rick Curach | Councillor
Tauranga City Council | 027 266 3944 |
rick.curach@tauranga.govt.nz | www.tauranga.govt.nz



Megan Yardley

From: Councillor Crowther <Glen.Cr@~~tauranga.govt.nz~~>
Sent: Sunday, August 18, 2024 7:33 PM
To: Mayor Mahé Drysdale; Councillor Curach; .Elected Members
Subject: Re: Declaration of Interests

Kia ora all,

My view is that the law is clear and there is a financial interest in this case. So if no-one says anything, it does seem to put the Council decision at risk.

That said, the question is what advice what received from who - and that is ultimately a matter for Rod.

Cheers,
Glen

[Glen Crowther](#) | Councillor
Tauranga City Council | 027 329 7959 |
glen.crowther@tauranga.govt.nz | www.tauranga.govt.nz



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To: Councillor Curach <Rick.Curach@tauranga.govt.nz>; .Elected Members <ElectedMembers@tauranga.govt.nz>
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Thanks Rick

Appreciate your concern in this.

I personally take a very different approach and think this is a very long bow to draw and thought that from the original email.

The matter/decision is will we sign a construction contract and how will this be funded. I don't believe Rod has any conflict in this, if he were to withdraw I think we are reacting to an incorrect narrative and could cause plenty of perceived conflicts going forward.

Rod did the right thing by getting advice after receiving an email and being new he wasn't sure. Ultimately its Rod's decision but we don't need to react to every email we receive.

Happy to hear any other views.

Mahé

From: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Sent: Sunday, August 18, 2024 1:55 PM

To: .Elected Members <ElectedMembers@tauranga.govt.nz>

Subject: Re: Declaration of Interests

Hi all,

I am very concerned of the potential for this decision to be subject to judicial review due to the likelihood of a complaint being lodged and a subsequent OAG Conflict of Interest determination finding that a participating member had a pecuniary conflict of interest.

Such an outcome has a potential to risk the project and bring this council into disrepute.

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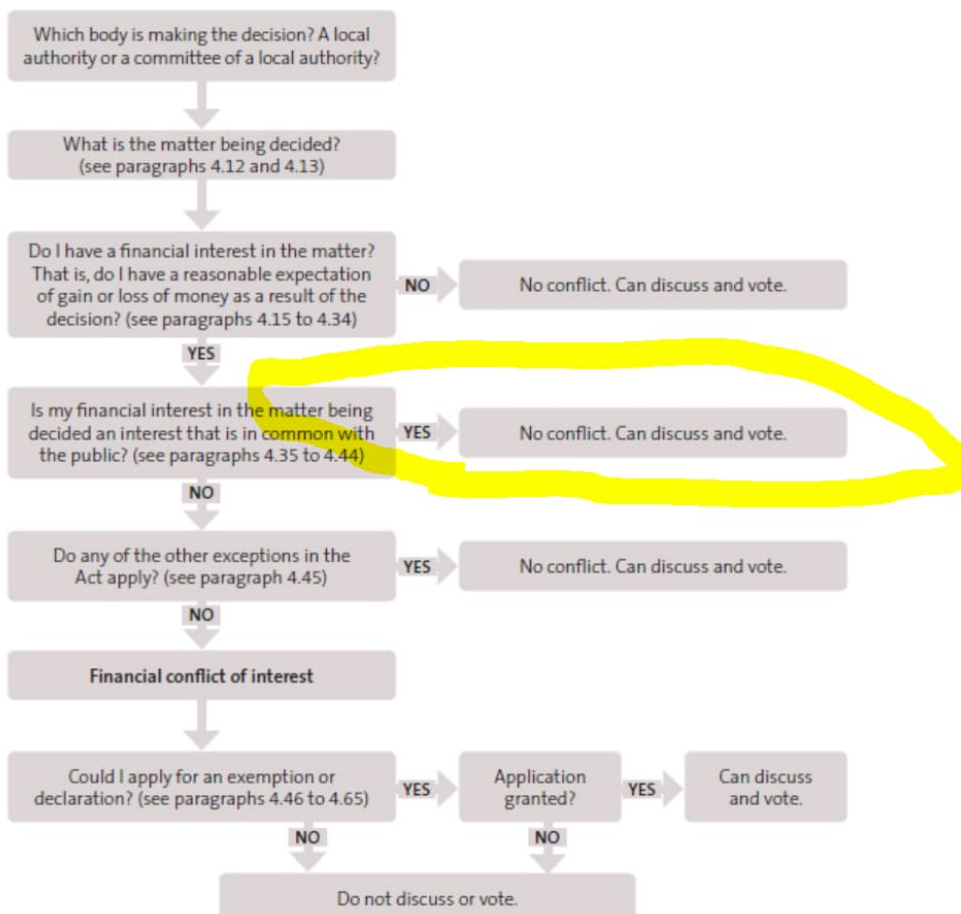
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rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



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Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
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rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



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Sent: Wednesday, August 7, 2024 5:51 PM
To: [REDACTED] Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Subject: RE: TC Councilors - Conflicts of interest

Good evening [REDACTED]

Thank you for your correspondence.

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Regards

Marty Grenfell | Chief Executive
Tauranga City Council | 07 5777 010 | 027 215 6563 marty.grenfell@tauranga.govt.nz | www.tauranga.govt.nz

From: [REDACTED]
Sent: Wednesday, August 7, 2024 12:20 PM
To: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>
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Sincerely



Megan Yardley

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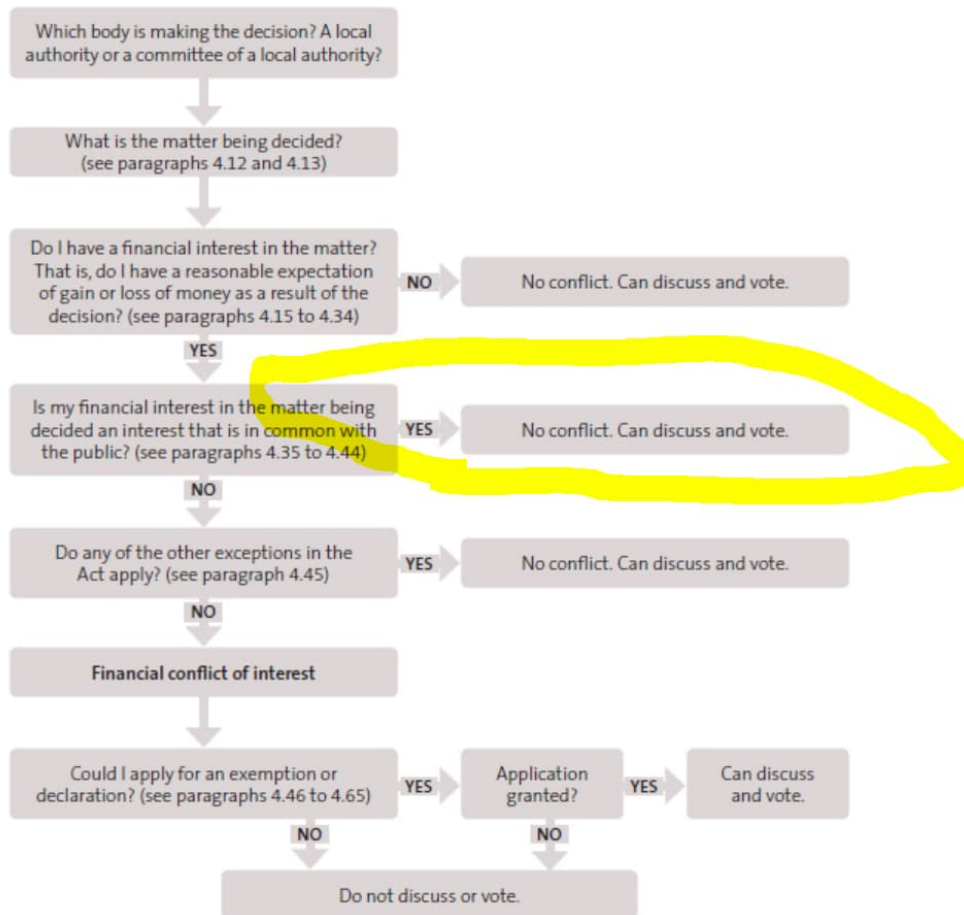
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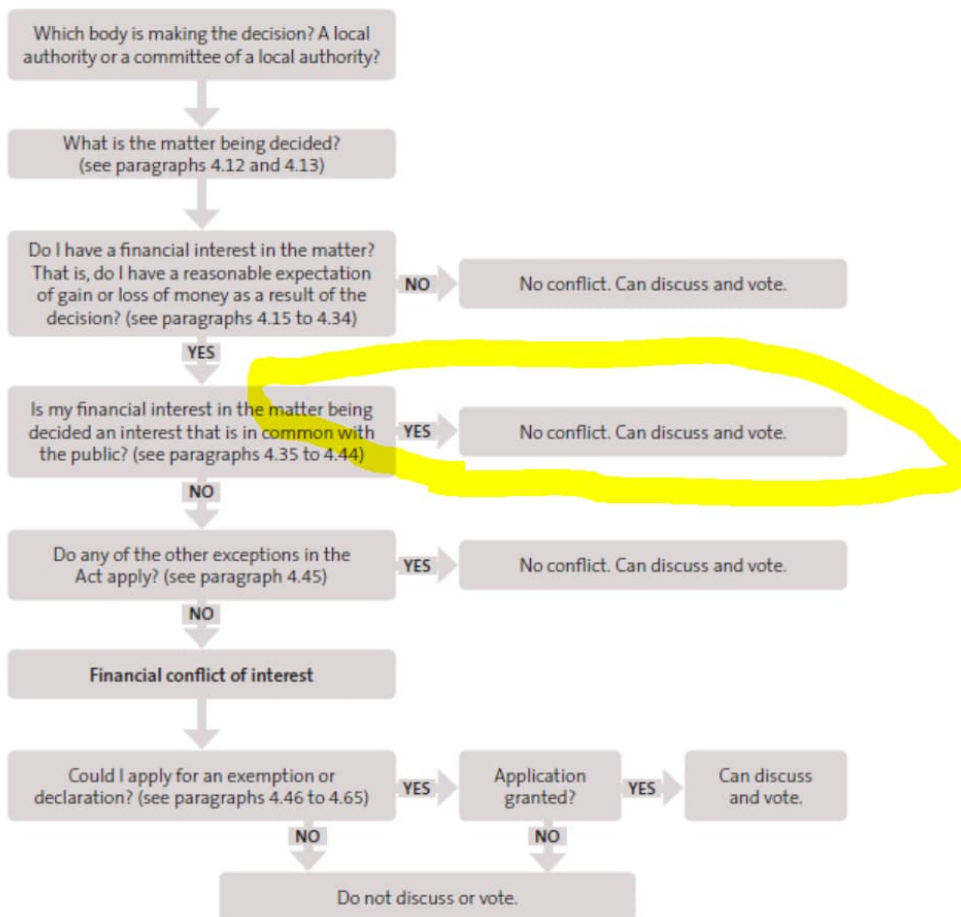
Morena Coral

Hope you had a great indoor weekend.

Just following up on this supposed conflict of interest that I may or may not have regarding things in the CBD. Obviously during the election I made it clear what my business interests are in the city and I believe I was elected based on this fact.

Rick has been making everyone aware that he thinks I do have a conflict relating to the TMoT Project, which I just cannot see. The easy thing to do would be for me to recuse myself from tomorrow's meeting, but I feel this would compromise my position going forward.

Using the flow chart Rick has pointed to I believe there is clearly no conflict in this case – see below. Given that we are yet to complete our member declarations I am unsure what to do here and would appreciate your opinion.



Rod Taylor | Councillor
Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



From: Coral Hair <Coral.Hair@tauranga.govt.nz>
Sent: Friday, August 9, 2024 11:00 AM
To: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Cc: Councillor Curach <Rick.Curach@tauranga.govt.nz>; Christine Jones <Christine.Jones@tauranga.govt.nz>
Subject: RE: TC Councilors - Conflicts of interest

Kia ora Cr Taylor

Thanks for providing that information.

The elected members interests legislation has changed since that procedure and form was developed. A new form will be available for elected members to complete that meets the new requirements and this will be circulated following the training with [REDACTED] on Monday.

Ngā mihi
Coral

Coral Hair | Manager Democracy and Governance Services
Tauranga City Council | 07 5576894 | mobile | 027-2021156
coral.hair@tauranga.govt.nz | www.tauranga.govt.nz



Pronouns: She/Her

Make flexibility work – if you receive an email from me outside of normal business hours, I am sending it at a time that suits me. I am not however expecting you to read it and/or reply until normal business hours.

From: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Sent: Friday, August 9, 2024 10:50 AM
To: Coral Hair <Coral.Hair@tauranga.govt.nz>
Cc: Councillor Curach <Rick.Curach@tauranga.govt.nz>
Subject: FW: TC Councilors - Conflicts of interest

As per last email

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Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



From: Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Sent: Wednesday, August 7, 2024 5:51 PM
To: [REDACTED] Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>
Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Subject: RE: TC Councilors - Conflicts of interest

Good evening [REDACTED]

Thank you for your correspondence.

There are clear guidelines on conflicts of interest in respect of elected members and I can assure you these will be used to guide any involvement in decisions that they will be required to make, in their capacity as councillors.

Regards

Marty Grenfell | Chief Executive

Tauranga City Council | 07 5777 010 | 027 215 6563 marty.grenfell@tauranga.govt.nz | www.tauranga.govt.nz

From: [REDACTED]

Sent: Wednesday, August 7, 2024 12:20 PM

To: Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>; Marty Grenfell <marty.grenfell@tauranga.govt.nz>

Cc: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>

Subject: TC Councilors - Conflicts of interest

CAUTION: External Email.

Dear Sirs

Having followed the recent elections closely I became aware in various statements by candidates and particularly the successful candidates, that conflicts of interest are likely to be a major issue for this council.

Below is a conflict occurring whenever discussion relates to the CBD.

Rob Taylor - Candidate for Te Papa Ward

Here is the link to the video Rob made to promote his candidacy.

<https://youtu.be/utOMwZWYywU>

In it he clearly states ...

"I am very passionate about the city centre rebuild and whats happening there.

As the owner of the Luxe Cinemas and the Shoe Lounge, I have 2 businesses and have 'skin in the game' as they say. I'm also very keen to communicate with the residents and business owners in the city as the changes happen to make sure we are going in the right direction."

Given this clear conflict of interest, Rob Taylor must abstain from any discussion or vote in regard to the city centre.

There are also conflicts of interest relating to relationships with major property developers in our city which will occur in many items for considerations.

The current 'Elected Members Interest Disclosure' procedure can be found here:

[elected_members_interests_disclosure_procedure.pdf \(tauranga.govt.nz\)](#)

Sincerely

[REDACTED]



Megan Yardley

From: Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Sent: Sunday, August 18, 2024 8:47 PM
To: Councillor Taylor
Subject: Re: TC Councilors - Conflicts of interest

No problems Rod. Mahé's view on this is spot on.

Get [Outlook for iOS](#)

From: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>
Sent: Sunday, August 18, 2024 8:43:06 PM
To: Marty Grenfell <xxxxx.xxxxxxxx@xxxxxxx.xx>; Coral Hair <Coral.Hair@tauranga.govt.nz>
Cc: Mayor Mahé Drysdale <Mahe.Drysdale@xxxxxxx.xx>
Subject: RE: TC Councilors - Conflicts of interest

Evening Marty

Thanks for your email – I wasn't expecting a reply on a Sunday evening – it would be good to catch up before the meeting if we get time.

Regards

RT

Rod Taylor | Councillor
Tauranga City Council | 027 236 9236 |
rod.taylor@tauranga.govt.nz | www.tauranga.govt.nz



From: Marty Grenfell <marty.grenfell@tauranga.govt.nz>
Sent: Sunday, August 18, 2024 8:39 PM
To: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>; Coral Hair <Coral.Hair@tauranga.govt.nz>
Cc: Mayor Mahé Drysdale <Mahe.Drysdale@xxxxxxx.xx>
Subject: Re: TC Councilors - Conflicts of interest

Hi Rod

I've taken advice on this also as well as having experience working with Mayors and Councillors who owned businesses and properties in central business areas and continued to participate in decision making of this kind.

I'm very comfortable you can continue to be fully involved in tomorrow's meeting.

Let's catch up tomorrow before the meeting.

Regards

Marty

Get [Outlook for iOS](#)

From: Councillor Taylor <Rod.Taylor@tauranga.govt.nz>

Sent: Sunday, August 18, 2024 8:28:20 PM

To: Coral Hair <Coral.Hair@tauranga.govt.nz>

Cc: Marty Grenfell <marty.xxxxxxxx@xxxxxxx.xxxx.xx>; Mayor Mahé Drysdale <Mahe.Drysdale@tauranga.govt.nz>

Subject: RE: TC Councilors - Conflicts of interest

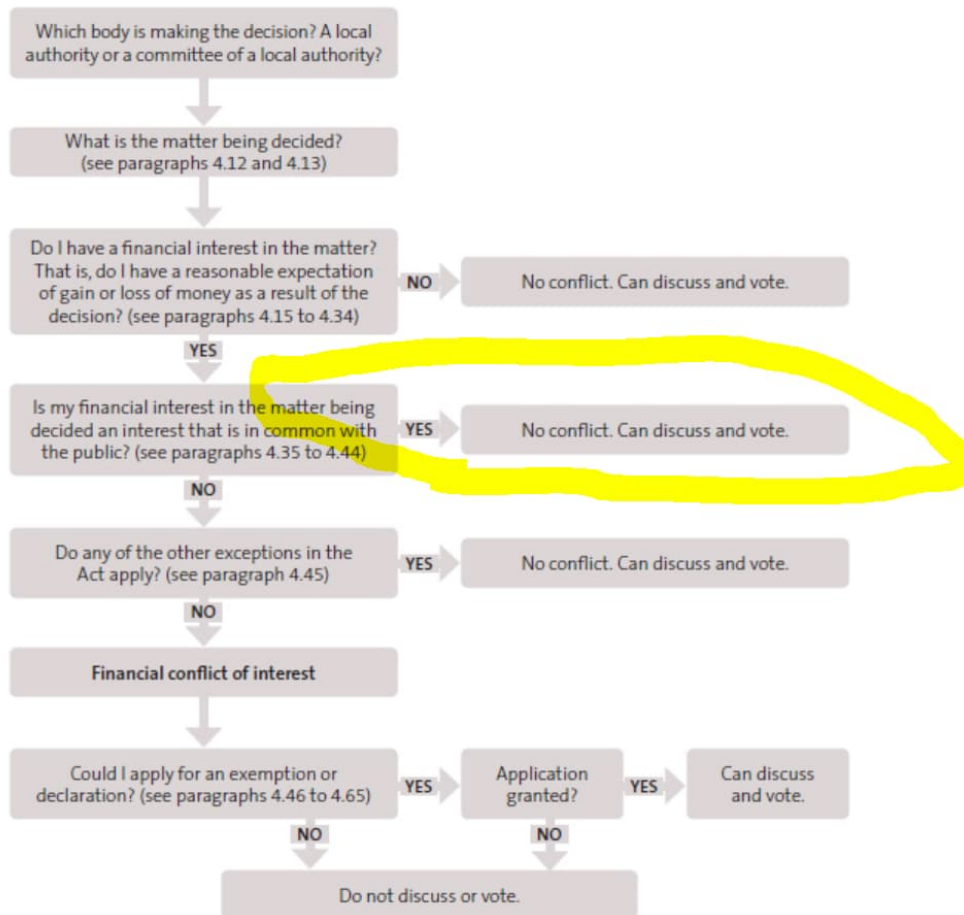
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Coral Hair | Manager Democracy and Governance Services
 Tauranga City Council | 07 5576894 | mobile | 027-2021156



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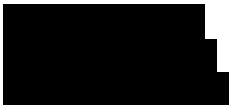
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Sincerely

A black rectangular redaction box covering the signature of the sender.