

MINUTES
NEW ZEALAND WALKING ACCESS COMMISSION
BOARD MEETING
8 July 2020
Wellington/via Zoom

Members: D Cameron (Chair), H Allison, P Coburn, P Henare, H Mexted, C Wade-Brown, R Tipene, L Chase

In attendance (all via Zoom): P Culling (Deputy Chief Executive), A Wilson-Goldman (Strategic Communications and Partnerships Manager), K Douglas (National Operations Manager), L Edwardson (Principal Advisor – Operations), S Cruickshank (GIS/IT Manager) and J Yang (minutes).

Opening Comments

The meeting commenced at 10.45pm.

The Chair welcomed Board members and staff.

1. Apologies

Apologies were received from R Cullinane.

Conflicts of Interest

No conflicts of interest were declared.

Confirm Agenda

The Board confirmed the agenda for the meeting.

K Douglas, H Mexted and R Tipene gave their apologies for having to leave the meeting early due to other commitments.

2. Confirm Minutes

The minutes of the meeting held via Zoom on 21 April 2020 were circulated and read.

Action: The Board

- a) **confirmed** the minutes of the 21 April 2020 meeting as being a true and correct record of the meeting.

Moved H Mexted **Seconded** H Allison **Carried**

Matters arising from the minutes

No matters were arising from the minutes.

3. Chief Executive's report

The Board discussed the chief executive's report for July 2020.

P Culling gave a strategic summary of the year to July and reported on:

- the 2019/2020 Annual Report and audit;
- the 2020/2021 Statement of Performance Expectations;
- the May Audit and Risk Committee report;
- management of the employee performance and development process;
- proposed changes to Enhanced Access Grants;
- establishing a Māori advisory panel;
- staff and regional field advisor (RFA) welfare;
- the memorandum of understanding with Te Araroa Trust;
- the Act Review;
- regional leadership and strategies;
- partnerships and policy; an update on IT;
- an update on operations; and
- health and safety.

The Board discussed the Commission's relationship with Te Araroa and the Te Araroa Trust (TAT). A memorandum of understanding (MoU) with TAT was signed in June and came into effect on 1 July 2020 for two years. The Commission will fund TAT's operational deliverables, employing the current TAT Chief Executive Mark Weatherall as Executive Director – Te Araroa. The Board are supportive of this role and would like to meet with Mark before the next board meeting to discuss the work with Te Araroa.

Responsibility for the trail itself will remain with TAT, including maintenance of physical infrastructure. The Commission has no liability for this. The Board requested a legal opinion of the MoU to confirm this.

Due to timing and urgency, there was no board meeting scheduled between the time when work on the MoU began and when it was signed. As such, the Board was not able to discuss or scrutinise the MoU as would have been preferred.

The Board noted there was no agenda item specifically on the MoU. It requested a report be presented at the meeting with the executive director, detailing the process leading up to this point. The Board also indicated it would be agreeable to holding brief videoconferences in future to discuss matters that arise that cannot wait until the following board meeting.

The Board also discussed the recent IT security breach. On 24 June, the Commission became aware that three Office365 accounts had been compromised. MPI, the Chief Privacy Officer and the Board were informed of the issue shortly after it occurred. All passwords for the compromised accounts were reset, and multifactor authentication was enabled for all Office365 users. Following testing, the Commission is confident

that it had no data breaches. The Board was satisfied that the issue has now been resolved.

Action: The Board

- a) **discussed** the chief executive's report for July 2020.
- b) **directed** management to recirculate the signed Te Araroa Trust MOU to the Board and schedule a workshop before the next board meeting with the executive director of Te Araroa.

Moved H Mexted

Seconded P Coburn

Carried

4. Health and safety report

P Culling presented the health and safety report as at July 2020.

This is a regular report, covering any accidents, near misses, on-going issues/any actions taken, initiatives, and any other relevant matters.

There were no accidents and no near misses since the last report.

The Board commended the Commission's responses to issues both during, and following on from, the COVID-19 lockdown.

Action: The Board

a) **noted** the Commission's July 2020 Health and Safety report.

Moved D Cameron

Seconded L Chase

Carried

Part A

5. Enhanced Access Grant

P Culling presented a paper asking the Board to approve changes in the way the Commission's Enhanced Access Grants (EAGs) are processed and approved.

The Commission currently approves applications in two 6-monthly tranches over the financial year. Applications for each tranche are assessed by the EAG panel which makes recommendations to the Board for approval.

As EAGs cannot be approved retrospectively for work already completed, the timing of the two-tranche system means that EAG applications for surveying and legal costs have been made in anticipation of applicants completing the negotiation process. Sometimes the negotiation process suffers extensive delays, resulting in multiple extensions and/or EAG projects failing to complete.

In the past two years of funding, two-thirds of approved EAGs have been for surveying and/or legal costs. The Commission anticipates an increased demand for surveying and legal costs for new access. The new process will allow more timely approval of EAGs, especially for surveying and legal costs.

Starting from 9 July 2020, EAG applications will be open year-round and will be assessed and approved as they are received. Tranches will be removed and the EAG panel will be dissolved.

The Commission's operations team can assess and approve applications that are only for surveying and/or legal costs associated with securing access, up to a limit of \$10,000 for any individual project.

Applications requesting funding above \$10,000, or for items other than surveying and legal costs will go to Board for approval at the following board meeting. The chief executive is still able to discretionarily approve any projects below \$10,000, to a maximum total approval amount of \$25,000 per annum.

New EAGs should only be approved if projects are ready to implement. As such, all newly approved EAGs will be given a term of 18 months to complete. Corporate services will continue to administer and maintain budgetary control over EAGs.

The Commission's website and written material will be updated to reflect the new process, and RFAs will be fully briefed on the new process at the upcoming RFA workshop on 23-24 July 2020. The Board emphasised the importance of ensuring that the promotional aspects of EAGs are not dropped.

The Board discussed the need to maintain clarity over who is applying for funding. The Commission should be clear about which individual/s are responsible for making sure project targets are met and who would be responsible for maintaining any physical structures that are funded.

The Board also discussed making sure that any EAG applications that unlock opportunities for Māori and sharing Māori stories are prioritised, and that successful EAG applicants could show they had the support of mana whenua for their project.

Action: The Board

- a) **approved** the new process for administering the Enhanced Access Grants.
- b) **approved** the dissolution of the current Enhanced Access Grant panel.
- c) **directed** that all Enhanced Access Grants be approved for an initial period of 18 months.
- d) **directed** the chief executive to update communications around the new Enhanced Access Grant process, including updating the Commission's website and written materials.
- e) **recommended** that Enhanced Access Grant applications with opportunities that unlock the potential of Māori heritage and history should be prioritised.

Moved H Allison

Seconded P Henare

Carried

6. Māori Advisory Panel

P Culling presented a paper seeking the Board's approval to establish a Māori Advisory Panel.

At its meeting on 3 July 2019, the Board reviewed the Commission's capacity and capability in working with Māori. This was followed by a workshop on developing a Māori engagement strategy for the Commission on 25 July 2019, where the Board agreed to an aspirational approach to engagement.

However, due to budget constraints in the last financial year, the Board directed that any follow up that required significant resource not take place until funding was secured. The Commission now has additional funding of \$250,000 over the next 2 years to do this work.

There have been informal discussions about creating a Māori advisory panel that would consist of board members, Commission staff, RFAs, an independent chair, and

1-2 external experts. The panel would be responsible for formulating the Māori engagement strategy, building capacity and capability in tikanga Māori across the Commission, and be a point of contact for Māori engagement issues.

The Board discussed the need to have in place a robust framework for engaging with Māori before considering a panel. Although the Commission often has good relationships with Māori at a local level, it needs to do more work to embed tikanga Māori and Treaty principles at a higher level and at a governance level.

The Board also discussed the risk that future changes to board membership or an end to funding after two years may stall any work done up to that point. If the Commission is aiming for an aspiration approach, then Māori engagement work cannot be tied to funding. It must be embedded in the Commission's processes and be regularly reviewed and reported on, such as happens with health and safety.

The Board directed management to prepare an aspirational high-level framework that outlines the Commission's commitment to, and obligations under, the Treaty of Waitangi, and a strategy for Māori engagement. This is to be circulated to the Board for feedback and further discussion by 17 July 2020.

Action: The Board

- a) **directed** management to prepare an aspirational high-level framework for the Commission's commitment to the Treaty of Waitangi, to be circulated to the Board for feedback and further discussion by 17 July 2020.

Moved P Henare **Seconded** R Tipene **Carried**

7. Sensitive Expenditure Policy

P Culling presented the Commission's revised Sensitive Expenditure Policy for the Board's approval.

Action: The Board

- a) **approved** the revised Sensitive Expenditure Policy

Moved H Allison **Seconded** L Chase **Carried**

8. Change of name for the Commission

A Wilson-Goldman presented a paper offering reasons why the Board might consider a rebrand for the Commission, including a new name, and outlined a process, timeframe, and cost for this.

As the policy process stemming from the review of the *Walking Access Act 2008* has now been delayed until at least early 2021 due to COVID-19, any changes to the Act, including a legal name change for the Commission, are unlikely to occur until 2022 at the earliest. If the Board were to change the Commission's operating name, then it is

highly likely that the policy process would simply endorse the new operating name as the legal name.

At its previous meeting on 21 April 2020, the Board agreed that it would discuss options if the budget bid were successful. This would allow the Commission to lead the name change process instead of MPI.

An estimate for the cost of a rebrand and change of name for the Commission is between \$100,000 to \$150,000. This includes the cost of workshops, design work, production of new guidelines and updating all electronic and physical materials. The Board agreed to fund this from the Commission's reserves.

The proposed timeframe estimates the design work should be completed around April 2021, ready for the new branding and name to be deployed in May 2021.

The strategic communications and partnerships manager will report on progress at each board meeting until the project is complete.

Action: The Board

- a) **agreed** to the use of \$100,000 - \$150,000 from the Commission's reserves for a rebrand project, including the creation of a new operating name for the Commission.
- b) **requested** updates from the strategic communications and partnerships manager on progress at each board meeting until the project is complete.

Moved P Henare

Seconded H Allison

Carried

Part B

9. Q3 Quarterly Report

P Culling presented the Commission's Q3 quarterly report for 2019-2020 as submitted to the Ministry of Primary Industries.

Action: The Board

- a) **noted** the Commission's Q3 Quarterly Report, as submitted to MPI.

Moved P Henare

Seconded P Coburn

Carried

10. Audit Plan 2019-2020

P Culling presented Audit New Zealand's audit plan for the Commission's 2019-2020 financial year to the Board.

Action: The Board

- a) **noted** the Commission's 2019-2020 audit plan.

Moved H Allison

Seconded P Henare

Carried

11. **Audit and Risk Committee Report**

P Culling presented the report to the Audit and Risk Committee on 20 May 2020.

Due to COVID-19 lockdown, the Audit and Risk Committee meeting scheduled for 7 April 2020 was cancelled. The documents for the meeting were circulated to the committee via email. The committee then reconvened on 20 May 2020 via Zoom to discuss a report from the deputy chief executive which summarised the information previously circulated.

The committee discussed the active management of risks, and the need to make sure that any residual risk remaining after taking into account any controls are at an acceptable level.

The Committee also raised the issue of liability coverage for Te Araroa and requested that the details around this are clarified with the Commission's insurance broker.

Action: The Board

- a) **noted** the report to the Audit and Risk Committee on 20 May 2020.

Moved H Allison

Seconded L Chase

Carried

12. **Significant correspondence**

Action: The Board noted the following correspondence:

- a) Letter from MPI re no outstanding financial liability

Part C

13. **Other Business**

The next board meeting will be held in Masterton, in conjunction with a meeting with Sir Kim Workman and Kawakawa 1D2 Ahu Whenua Trust. The Board requested that any previous board papers and key correspondence are circulated well before this meeting, to ensure all board members are briefed on the issues.

The Board supports the valuable work that RFAs do locally and emphasised the need for regular analysis of work to add to the argument for increased funding in future

budget bids. An operations update will be provided to the Board at its next meeting, highlighting any issues or opportunities in this area.

The Board also requested to meet with RFAs. This was especially important for the two most recently appointed board members who have not met most of the RFAs. Options and an appropriate time for this would be discussed by management and brought back to the Board.

14. Closing comments

The chair thanked board members and staff for their attendance at the meeting.

P Henare closed the meeting with a karakia.

15. Next meeting

The next meeting of the Board will be held on 22-23 September 2020 in Masterton.

The meeting closed at 2.40 pm.

D Cameron
Chairperson