

MINUTES
NEW ZEALAND WALKING ACCESS COMMISSION
BOARD MEETING
1 December 2016

Vautier Room, The Crown Hotel, Napier

Board Members: J Forbes (Chair), P Brown, P Mudford, B Stuart and R McNeill.

In attendance: E Pyle (Chief executive), R Cullinane (Operations manager), D Knott (Corporate services manager) and N Henderson (Regional field advisor).

Opening Comments

The meeting commenced at 1:00pm.

The Chair welcomed Board members and staff to the meeting.

1. Apologies

There were no apologies.

Conflicts of Interest

No conflicts of interest were declared.

Confirm Agenda

The Board confirmed the Agenda for the meeting.

2. Confirm Minutes

The Minutes of the Meeting held in Wellington on 26 September 2016 were circulated and read.

Action: The Board

- a) **confirmed** the minutes of the 26 September 2016 meeting as being a true and correct record of the meeting.

Moved P Mudford **Seconded** P Brown **Carried**

Matters arising from the Minutes

There were no matters arising from the Minutes.

3. Earthquake and office

E Pyle provided a verbal update on the status of Revera House following the Kaikoura M7.8 earthquake on Monday 14 November 2016. The building manager advised the Commission on Tuesday 15 November that, following a preliminary inspection, the building was safe to be occupied. The office re-opened on Wednesday 16 November.

At 4:45pm on Thursday 17 November following a more detailed inspection by building engineers the Commission was provided 15 minutes to evacuate the building. Since that date, staff had been and will continue working from home until the accommodation situation is resolved. Staff meetings were scheduled weekly. We have been provided short-duration access to retrieve minor items e.g., desktop computers, important papers, personal items.

The building manager has yet to advise the long-term impact of the earthquake on Revera House, but indications were that the building will not be readily available for months should remedial work be required, or perhaps never should it be uneconomic to repair the damage.

E Pyle advised the Board that lease payments for Revera House had been cancelled and that management was searching for temporary accommodation. We remain cognisant that, in accordance with the government's Wellington Accommodation Project, co-location with Sport New Zealand is scheduled for August 2018.

The Board requested that management review the detailed building engineer's assessment, including an independent building engineer's review, of any alternate premises to ensure the ongoing safety of Commission staff, contractors, and visitors whilst in Commission offices.

4. Chief executive's report

The Board discussed the Chief executive's report for December 2016.

E Pyle reported that the recent earthquakes had delayed the Commission's recruiting for four positions; communications advisor, partnerships and policy advisor, operations advisor, and corporate services advisor.

The Trail Development Leaders Workshop on 29 November in Hamilton, in partnership with the NZ Recreation Association (NZRA), was successful within in excess of the 70 attendees anticipated. J Forbes requested that workshop notes be distributed to Board members, and advised management that Board members would attend any future events in their locality. E Pyle advised that the outcomes were to be digested and would be reported to a later Board meeting.

The Commission has submitted a proposal to consultants working for the NZ Transport Agency (NZTA) seeking compensation for severing the Moirs Hill Walkway. If successful, the compensation would be used to fund development of a trails plan for the Puhoi-Warkworth area. We are waiting to hear from the NZTA.

E Pyle attended a workshop hosted by the Overseas Investment Office (OIO) in mid November. The workshop sought ways to improve OIO processes and regulations, and was attended mainly by lawyers that are active in the OIO area. As a consequence of that meeting, management intend to run short workshops, with the OIO, in the main centres for lawyers involved in OIO cases to outline the Commission's perspectives.

E Pyle reported that he had attended the NZRA conference in Queenstown in early November. One presentation covered public access mapping systems, how the walking access mapping system (WAMS) compared with maps operated by trails groups, council mapping systems and other map sources. The conclusion was that WAMS was missing important public access areas because the information had not been loaded onto the cadastre and/or had not been coded on the cadastre correctly. Waipa District Council commented that their council was going through a process of

identifying where the public had access and comparing that with the data captured on the cadastre. This was a large task given the large number of paper records that needed to be worked through. Potentially the Waipa project could form a case study on the amount of access data missing from the New Zealand cadastre.

Rod Smiley (Regional field advisor – Manawatu, Whanganui and Taranaki)) has been appointed as the health and safety coordinator for the Regional Field Advisors (RFAs). At the quarterly RFA workshop on 15-16 November Rod led a session on health and safety which was well received, and will be a regular session on the RFA workshop agenda.

Action: The Board

- a) **discussed** the Chief executive's report for December 2016.

Moved P Mudford **Seconded** P Brown **Carried**

5. **Engaging with tourism issues**

The Board discussed a paper regarding access and tourism issues.

E Pyle reported that the Commission was increasingly becoming aware that growing tourist numbers are starting to put pressure on existing access arrangements. In some cases access has been withdrawn or the pressure has created significant logistical issues, for example with The Roaring Meg Pack Track near Queenstown was closed by the pastoral lessee due to concern about the number of mountain bikers, the speed they were travelling and the impact on farm animals and the farmers; Mt Alfred, at the head of Lake Wakitipu, has been closed by the pastoral lessee due to problems with people camping on the summit. There are no facilities on the summit and the campers were leaving waste/rubbish; and Whitecliffs Walkway (Taranaki) has been closed because the Department of Conservation issued a concession for a commercial operator to use the walkway. The terms of the walkway specifically exclude using the walkway for commercial purposes.

The Commission needs to better understand the potential implications of tourism on access and its impact on the environment and plan responses accordingly to reduce the chance of losing significant amounts of access.

Action: The Board

- a) **discussed** the Commission's strategy for engaging with the tourism pressure issue. The proposed strategy involved:
- A low key communications exercise to raise the concept that some tourism is dependent on access.
 - Seeking a position on the government chief executives' group on tourism, even on a "specific topics" basis.
 - Positioning the high country access strategy as part of a work programme to address tourism issues.

Moved R McNeill **Seconded** B Stuart **Carried**

6. Development of the Commission's National Strategy – consultation process

The Board discussed a paper regarding the revision of the Commission's National Strategy.

Eric Pyle reported that the New Zealand Walking Access Commission National Strategy 2010-2035 was due to be reviewed in 2015. This was deferred due to Mark Neeson's pending retirement. Work is currently under way revising the strategy. Management has used the following framework (PRUB model) for developing the new strategy: Projects - the major work programme that the Commission will undertake; Uses - how the work the Commission does is used by both the Commission and other agencies / individuals and stakeholders (in general); Results - that are achieved via agencies and people using the Commission's work; and Benefits - for New Zealand that results from the Commission's work.

P Mudford commented that the strategy must be consistent with the requirements of the Walking Access Act 2008.

E Pyle will use the PRUB framework as the basis for consultation with key government and non-government agencies until mid-March 2017. Board members provided guidance as to which agencies should be approached. Following the consultation period, a draft strategy will be presented to the May Board meeting for further feedback.

Action: The Board

- a) **confirmed** the outline of the Commission's proposed strategy, and the consultative approach adopted by management.

Moved P Brown **Seconded** R McNeill **Carried**

7. Engaging with the Maori Community

The Board discussed a paper regarding the Commission's engagement with the Maori community.

E Pyle reported that over the last few months management has met with runanga and Iwi in different parts of the country. Regional Field Advisors and staff have also been involved in one or two access proposals involving Maori. While discussions have in the main been warm and engaging we have yet to identify specific projects that will enhance access to the outdoors.

E Pyle advised that Board that he intended to continue with this engagement, seeking opportunities at regional and national hui; working with partners, such as the Healthy Families initiative, to connect with Iwi and runanga to identify opportunities to assist in projects such as developing trail initiatives; and meeting members of the Maori community involved in access issues, or who may have an interest in developing traditional trails for cultural and tourism (economic) reasons.

P Brown suggested that there may be some Iwi who are prepared to discuss access issues earlier than others, and that the Commission's Kaumatua should be consulted on the Commission's approach in this regard.

Action: The Board

- a) **noted** the Commission's approach to increasing its engagement with the Maori.

Moved B Stuart **Seconded** J Forbes **Carried**

8. **Walking Access Awards**

The Board discussed a paper regarding the 2016 Walking Access Awards.

E Pyle reported that Minister Nathan Guy has recently indicated that he would like to present this year's walking access awards at a ceremony in Wellington, possibly at Parliament. The date is likely to be in February 2017 and will depend on the parliamentary sitting schedule for 2017 which has not yet been released. Recipients of the award have been advised that a ceremony may be held in Wellington in February.

Board members agreed that an awards event in Wellington provides an opportunity to highlight the importance of access to the outdoors, the work of the Commission and access challenges / opportunities in New Zealand. This event would provide an opportunity for the Commission to connect with a wide range of stakeholders, including people working for Government Departments, councils, trail development groups, as well as the recipients.

Action: The Board

- a) **confirmed** that the Commission will present the 2016 Walking Access Awards at an event in Wellington, involving the Minister,
- b) **noted** that the awards event is likely to be in February 2017,
- c) **provided** feedback on the event including the agenda, invitation list and venue.

Moved R McNeill **Seconded** P Mudford **Carried**

9. **Strategic intentions, Statement of Intent (2017-2021) and Statement of Performance Expectations (2017-2018)**

The Board discussed a paper regarding the Commission's strategic intentions, Statement of Intent (2017-2021) and Statement of Performance Expectations (2017-2018).

A draft letter to Minister Nathan Guy regarding the Commission's strategic intentions was provided for Board comment. E Pyle advised the Board that there are three significant strategic matters that the Board could consider for inclusion in the letter: as the new chief executive, he has proposed new and/or different priorities than what is outlined in the current SOI; the National Strategy was due to be reviewed in 2015-2016 and had been delayed until mid-2017 to identify new priorities and provide for consultation with key stakeholders; and the pending review of the Walking Access Act in 2018-2019.

The Board noted that the Crown Entities Act (s 139 B) states that the Minister may grant an extension of time for, or waive, the requirement to provide a statement of intent if a Crown entity is likely to have a significant change in the nature or scope of its

functions, the responsible Minister may grant the Crown entity an extension, of up to 1 year.

The Board also noted that Audit New Zealand, in its Report to the Board regarding the audit of the 2015-2016 period commented that the Commission reports against a large number of performance measures in relation to its size, that they are aware that the Commission is renewing its National Strategy in 2017, and recommended that management continue to review and enhance its performance information, and to consider how best to reflect the overall purpose and benefit of the Commission.

Action: The Board

- a) **approved** the release, following inclusion of Board comments, of the letter to the Minister regarding the Commission's strategic intentions;
- b) **noted** that management is reviewing the Commission's strategic intentions for ratification at the February Board meeting; and
- c) **noted** that management is reviewing the Commission's performance measures for the 2016-2017 Statement of Performance Expectations.

Moved P Mudford **Seconded** B Stuart **Carried**

10. Measures for the Commission

The Board discussed a paper regarding the financial and non-financial performance measures for the Commission.

E Pyle reported that thinking on a revised National Strategy is at the point where management has started to explore how it can be mapped into the Statement of Intent (SOI) and Statement of Performance Expectations (SPE). The framework for the revised strategy uses the concepts of "projects, results, uses and benefits" (PRUB model). These concepts need to be mapped to an "outcomes framework" which is used in both the SOI and the SPE.

At the September 2016 meeting the Board discussed measures for the Commission in relation to early thinking on a new strategy for the Commission. As part of that revision, management has started to develop a new performance framework that it proposes to trial in the 2017-2018 Statement of Performance Expectations due for completion by April 2017. The measures can then be refined following the completion of the new strategy in mid-2017 and Statement of Intent.

The framework for new performance measures contain management's suggestions for indicators that draws on the revised strategy's PRUB framework. These measures cover: policy and planning; changes in the amount of public access, as measured using the cadastre; people know where access is; education/behaviour; and recreationalists and landholders are comfortable with access arrangements.

Action: The Board

- a) **provided** feedback on the framework for new performance measures; and
- b) **noted** that management will provide a draft Statement of Performance Expectations, including new performance measures, for approval at the February 2017 Board meeting.

Moved J Forbes **Seconded** B Stuart **Carried**

11. Strategic risks for the Commission

The Board discussed a paper regarding the risks facing the Commission.

At the September Board meeting, E Pyle proposed a set of risks under the headings of relevancy, financial position, adverse reactions from key stakeholders, failure to maintain a leadership role in the digital environment, relationship with Iwi and loss of key people. Board members discussed the actions taken to mitigate the risks identified under those headings.

Following the Board discussion, it was agreed that the risks under the headings financial position and key people could be removed, and that the relationship category could be expanded to include all stakeholders.

Action: The Board

- a) **discussed** the risk report;
- b) **amended, and confirmed** the risks, and
- c) **advised** management that it would like to be regularly informed on the risks.

Moved P Mudford **Seconded** P Brown **Carried**

12. Controlling Authority

The Board discussed a paper regarding the Commission's Controlling Authority policy.

E Pyle and R Cullinane presented a paper proposing that the Commission amends its existing Walkway Policy to enable the Commission to assume the Controlling Authority role for a Walkway in specific circumstances and in these situations delegates day to day responsibility to a suitable organisation under a management agreement.

The board had previously considered this topic at its August and September 2016 meetings, requesting refinements to the proposed policy.

To mitigate the risk of Territorial Authorities declining Controlling Authority roles, the Commission would need to make it unequivocal that it would only assume Controlling Authority roles in specific circumstances. The specific circumstances under which the Commission may consider taking on the role of a Controlling Authority include: where securing the public access by easement is assessed as important; no public body is available to assume the role; where an organisation that has sufficiently robust structures, competencies and longevity is willing to undertake the day-to-day management and maintenance of the easement at their own cost; where it is more efficient for an organisation that has the competency to manage a walkway to reach an agreement with the Commission as compared to numerous local authorities or local Department of Conservation offices; and where a comprehensive and robust management agreement between the organisation and the Commission can be agreed that in effect means that the organisation takes on the roles and liabilities of a Controlling Authority.

The proposed Walkway policy requires Board approval for the Commission to assume Controlling Authority roles itself in situations that meet the specific conditions.

In the case that a managing organisation fails to meet the terms of the management agreement, and an alternative managing organisation or CA is not available, the walkway easement may be closed indefinitely or revoked.

Action: The Board

- a) **agreed** to the amended Walkway Policy, as amended by the discussion.

Moved R McNeill **Seconded** B Stuart **Carried**

13. Enhanced Access Fund -2016 round (tranche 1)

The Board discussed a paper regarding tranche 1 of the Enhanced Access Fund – 2016 funding round.

E Pyle reported that four applications had been received for Enhanced Access Fund (EAF) grants. An assessment of applications was completed by the relevant regional field advisor. The EAF grants assessment panel (Board members – P Mudford and B Stuart, and management representatives - R Cullinane and D Knott) met on Tuesday 8 November 2016 to review applications for recommendations to the Board.

In making its recommendations, the panel considered the Commission's priorities for funding, the total amount available for allocation, and geographic spread. The panel recommended that the application received from the Whareroa Guardians Community Trust for signage and that three applications be declined as they did not meet EAF criteria.

Action: The Board

- a) **approved** funding for one application from tranche 1, totalling \$2,140 exclusive of GST, as recommended by the EAF grants assessment panel;
- b) **agreed** that the Chief executive advises all applicants of the Board's decision, and invites the successful applicant to confirm their agreement to any conditions set by the Board;
- c) **directed** the Chief executive to consider appropriate timing of the release of decisions and participation by interested Board members and regional field advisors in local announcements;
- d) **agreed** that the Chairman write to the Minister for Primary Industries advising him of the decision.

Moved J Forbes **Seconded** R McNeill **Carried**

14. Insurance Renewal report

The Board discussed a paper regarding the Commission's insurance renewals.

E Pyle reported the proposed cover is similar to the previous year, with the exception of the business interruption policy which has been extended from 12 months, to 24 months based on evidence from the Christchurch earthquake event.

Action: The Board

a) **confirmed** that the level of insurance cover is appropriate.

Moved R McNeill **Seconded** P Brown **Carried**

15. Quarterly reports: 2016-2017 - Quarter 1

The Board discussed a paper regarding the Commission's report to the Minister, and the Operations report, for the quarter ended 30 September 2016.

Board members noted that the financial affairs were satisfactory.

Management of Overseas Investment Office access recommendation reports was working well but that despite the satisfactory resolution rate, the relatively high number of cases received this year mean the number of active cases held by the Commission remains steady at 45 to 50.

Rod Smillie started as the new regional field advisor (RFA) for the Taranaki, Whanganui, and Manawatu regions on 1 July 2016. Rod is ex-Department of Conservation and based in Palmerston North. RFA reporting continues to note that landholders and land managers are very exercised over perceptions that health and safety legislation will impose significant liabilities and risks attached to allowing recreational access. A FAQ addressing the matter, developed in consultation with Federated Farmers, Rural Women, Fish & Game and Federated Mountain Clubs was published in July 2016.

Action: The Board

a) **confirmed** the Commission's Quarterly Reports for the period ending 30 September 2016.

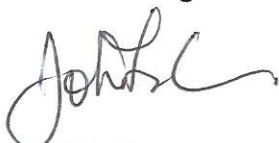
Moved P Mudford **Seconded** R McNeill **Carried**

16. Schedule of Significant correspondence

Action: The Board noted the schedule of significant correspondence.

The Chair invited P Brown to close the meeting with a karakia.

The meeting closed at 2:35pm.



J Forbes
Chairperson

Notes

1. The Board held a workshop to review agenda items on the morning of 1 December.
2. The Board hosted a hui (7:30am – 9:00am) for representatives from the local Maori community.
3. The Board hosted a forum (3:30pm to 4:30pm) for representatives of local government and the Department of Conservation.
4. The Board hosted a forum (5:30pm to 6:30pm) for representatives of recreation groups and interested parties.
5. On 2 December the Board completed a field trip to North Block Road for a discussion with a local farmer, and the Central Hawkes Bay District Council. The Board also visited a site on the Makaroro River and discussed access with a farmer there.