

**MINUTES**  
**NEW ZEALAND WALKING ACCESS COMMISSION**  
**BOARD MEETING**

**8 March 2017**

**Level 9, 44 The Terrace, Wellington**

**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 Peho Tamiana (kaumātua).

**Opening Comments**

The meeting commenced at 2:00pm.

The Chair welcomed Board members, the Commission's kaumātua and staff to the meeting and invited Peho Tamiana to open the meeting with a karakia.

**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 1 December 2016 were circulated and read.

**Action:** The Board

- a) **confirmed** the minutes of the 1 December 2016 meeting as being a true and correct record of the meeting.

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

**Matters arising from the minutes**

There were no matters arising from the minutes.

### 3. Chief executive's report

The Board discussed the chief executive's report for March 2017.

The Hon Louise Upston, Associate Minister for Primary Industries, was recently delegated responsibility for the New Zealand Walking Access Commission. E Pyle, in conjunction with Vision Kerikeri, accompanied Minister Upston for an hour walk to the yet to be completed Wairoa Stream Track to the Te Wairere waterfall. This was a good opportunity to brief the Minister on the Commission's activities.

E Pyle reported that G Williamson (operations advisor) had resigned, effective from 28 February, and that he would be retained as a consultant until 30 June 2017 to assist with specific access related projects. George was replaced in February by Lynda Edwardson. D Knott (corporate services manager) had also resigned and a replacement was being sought.

Discussions with the New Zealand Transport Agency (NZTA) regarding the Commission's proposal for compensation for severing the Moirs Hill Walkway is continuing. The Commission also held a meeting with the Matakana Trails Trust and the Auckland Council to work through how the Puhoi-Matakana-Warkworth Trails Development Plan project could work, assuming adequate compensation is obtained.

The Commission hosted a luncheon for senior Overseas Investment Office (OIO) staff on 24 February to identify ways of working together, particularly around monitoring and implementation of access recommendations. This meeting is the start of a process to develop a stronger working relationship between the two organisations.

A student scholarship has been provided to Lincoln University for research to develop an internet-based system (with the working title Access Me) where landowners and those seeking access can interact online to agree access. The Commission has received a draft report.

**Action:** The Board

- a) **discussed** the chief executive's report for March 2017.

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

### 4. Earthquake and office accommodation

The Board received a verbal report from E Pyle, and discussed earthquake and office accommodation issues.

E Pyle confirmed that the Commission's moved into temporary accommodation at 44 The Terrace in early January 2017. Some items, mainly furniture, have yet to be returned by the removal company following their uplift from Revera House. No final decision has been made on the future of Revera House, but it is expected that the building will not be tenantable for at least two years and the Commission has been advised by the landlord that its lease has been terminated. The Commission is in discussions with the Government Property Group on long-term accommodation options as its relocation to 44 The Terrace is only available until the end of June 2017.

The Chair commended the Commission's management and staff on what appeared to be a seamless relocation in difficult circumstances.

## 5. Select Committee and meeting with the Minister

The Board received a verbal report from E Pyle, and discussed the Select Committee meeting on 9 February, and meeting with the Minister on 7 March 2017.

On 9 February, the Commission, represented by J Forbes, P Mudford, E Pyle, R Cullinane and D Knott, appeared before a meeting of the Primary Production Select Committee. J Forbes reported that the Commission received a positive response from the Committee. The Commission outlined its draft strategic plan, which was well received, and set the scene for a positive and forward-looking discussion. The Committee posed 102 written questions for the Commission to respond to prior to the meeting. Following the meeting, the Commission received, and has responded to, a further 10 written questions.

At the Committee meeting the MP for Kaikoura, Stuart Smith, sought the Commission's involvement in securing recreational access as part of the reconstruction of State Highway 1 between Blenheim to Kaikoura as a consequence of the damage caused by the November earthquake. The Commission's regional field advisor, Penny Wardle, contacted Stuart and local groups working on the issue. The local mayors are keen to see a walking/cycling trail developed from Christchurch to the Queen Charlotte Walkway. The Commission has suggested that, as a local MP, Stuart could chair a meeting to explore uniting the various groups and forming an overarching body.

## 6. Strategy narrative

The Board discussed a paper on the strategic narrative for the Commission. Asher Wilson-Goldman, the Commission's communications manager, joined the meeting for this Agenda item.

E Pyle reported that discussions on the Commission's strategy with key stakeholders are proceeding well with good feedback being received on the benefits the Commission is contributing to and the projects the Commission is proposing. The narrative will support the strategic outline of the Commission's planning.

Board members provided feedback to management, who undertook to continue to revise the strategic narrative and report back to the Board.

P Mudford made the request that the strategy refer to norms for governmental reporting i.e., Outcomes, Impacts, Outputs and Inputs.

**Action:** The Board

- a) **noted** the development of the strategic narrative and provided feedback for management to continue its development.

**Moved** J Forbes

**Seconded** P Brown

**Carried**

## 7. Whitecliffs Walkway

The Board discussed a paper on the Commission's options for ongoing engagement in the Whitecliffs Walkway dispute.

E Pyle reported that the Whitecliffs Walkway is a popular 14 km / 5-hour walkway along the coast north of New Plymouth. The route is variously on unformed legal road (ULR) and private land, and secured by easement over the latter. Establishment of the Walkway pre-dated the formation of the Commission. The Department of Conservation (DOC) is the controlling authority. The Walkway crosses private land (owned by Mr Russell Gibbs) at its northern end. In February 2016, Mr Gibbs raised concerns that DOC had issued a concession to a tour operator on the Walkway and that this was not permitted under the easement conditions. In August 2016, Mr Gibbs closed any public access on the Walkway over his land.

A meeting was held on site on 12 December 2016 (attended by the Commission's regional field advisor and operations advisor, DOC, landholders and their whānau). The discussion covered historical issues and a resolution process unique to Mr Gibbs and his whānau (Poutama). A proposal that public use of the Walkway would be permitted while the other issues were resolved was discussed but the landholders felt that resolving the Walkway issue should be part of the wider solution.

The matters raised at the 12 December 2016 meeting, and in a position summary provided by Poutama in February 2017, do not relate directly to resolving the matter of public access on the Whitecliffs Walkway, but instead to Treaty of Waitangi and iwi representation issues that may be more appropriately addressed in other forums. It seems likely that Mr Gibbs and the Poutama whānau will want to have the broader Treaty and iwi representation issues addressed prior to considering the specific issues around the Walkway.

The Board suggested to management that the Commission's Kaumātua be invited to join the discussion with Mr Gibbs so that the Commission may better understand the issues involved.

**Action:** The Board

a) **noted** the dispute and encourages further engagement with Mr Gibbs.

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

## 8. Updates on projects

The Board discussed a paper on the projects that the Commission is working on.

E Pyle updated the Board on the projects the Commission is currently focussing on, which included the South Island High Country, Auckland peri-urban (Puhoi-Warkworth-Matakana area), the Ruahines, Upper North Island, Central North Island, and the Marlborough/Kaikoura road rebuild.

Commission staff have started discussions with key stakeholders on developing an access strategy for the South Island High Country. Commission staff and South Island regional field advisors are meeting early March to develop a project plan with the focus on the Queenstown, Wanaka, Mackenzie areas.

The Commission is working with the Department of Conservation (DOC), Auckland Council and the New Zealand Transport Agency (NZTA) regarding a comprehensive trails plan for the Puhoi-Warkworth-Matakana area. Compensation is being sought

from NZTA for the impact a new motorway will have on the Moirs Hill Walkway and the compensation funding will be used to fund the trails plan.

Federated Mountain Clubs consider that limited access to the Ruahines is one of the most important access issues in New Zealand to resolve. In the past, access to the Ruahines was good via informal agreements. The Commission is working on both the western and eastern sides of the Ruahines to secure certain and enduring access.

In late November 2016, the Commission piloted an approach to gaining an understanding of trail development initiatives in a region of the upper North Island. A forum was held with trail leaders to capture the projects they were developing on the walking access mapping system so that the Commission, councils, DOC and trail leaders could gain an overview of how the trails initiatives might fit together. We found that many community groups were working with 1:50,000 scale maps marked up with highlighters. The Commission is looking at how it can work with community groups and how to develop a methodology to assimilate information from community groups into a digital environment.

Congestion on the Tongariro Crossing is an increasing issue. DOC and the hapū with mana whenua status are due to start a review of the operation of the Tongariro Crossing. An opportunity exists for the Commission to lead a conversation on other possible trails in the area. Any such trails would cover a range of land tenures; national park, conservation land, and Māori land.

Stuart Smith, MP for Kaikoura, has sought the Commission's assistance with encouraging the NZTA to support a walking/cycling trail as part of the rebuild of the state highway between Blenheim and Kaikoura. NZTA has advised that provision is being made in the rebuild budget for cycling/walking access at the pinch-points.

**Action:** The Board

a) **discussed** the projects the Commission is working on.

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

## 9. Measures for the Commission

The Board discussed a paper regarding performance measures for the Commission.

E Pyle advised the Board that the Statement of Performance Expectations (SPE) for 2017-2021 was being formulated. The SPE comprises a narrative about the Commission under the title "foreword", performance measures and projected financial statements.

Once the narrative and measures are agreed the SPE can be completed. We are required to have a draft SPE with the Minister by the end of April. Board agreement to the draft SPE is required and the Board will be requested to provide clearance for release via email.

Measures for the draft SPE are being developed for trails/access plans, including a report on access in the South Island High Country, and identification of issues and a report on access in the Puhoi- Warkworth-Matakana area; overseas investment in New Zealand and implementation of a monitoring programme developed in conjunction with

the Overseas Investment Office; working with central and local government to increase awareness for access at the policy level; completeness of the walking access mapping system and increasing website usage; engagement with the Māori community; trail projects and supporting third-party initiatives and dispute resolution.

**Action:** The Board

- a) **discussed** the proposed measures for the Commission and recommended that management have these reviewed by Audit New Zealand;
- b) **agreed** to review the proposed measures again when the draft Statement of Performance Expectations is presented for confirmation and release to the Minister.

**Moved**

J Forbes

**Seconded**

P Brown

**Carried**

#### 10. **Overseas Investment Office (OIO) case: Kawakawa Station dispute**

The Board discussed a paper detailing the Kawakawa Station OIO dispute.

Kawakawa Station is a 1,400-hectare steep and hilly working sheep and beef property near Cape Palliser in the Southern Wairarapa. The western boundary adjoins the coast and part of the eastern boundary adjoins Aorangi Forest Park which is managed by the Department of Conservation (DOC). There is also a tourism operation on the station which the owner wants to further develop. Aorangi Forest Park is a popular destination for hunters and trampers but access to the Park is not great. Existing access to the Kawakawa hut is via the Mangatoetoe Track from the north (10km / 5 hours) and from the Pinnacles in the south (14 km / 8 hours). Access up the Otakaha Stream to Kawakawa Hut (7km / 2 hours) is therefore highly desirable.

The Commission's access recommendation report of May 2016 recommended securing public walking and cycling access, with dogs under control and with unloaded firearms, from the main road alongside the true left of the Otakaha Stream to the Kawakawa Hut. The Applicant considered these recommendations excessive and unacceptable. Revised access recommendations were provided in September 2016 which required walking access only (no firearms and no dogs), and recommended Kawakawa Station liaise further with the Commission regarding the appropriate instruments to secure the access and any other access conditions such as closure during lambing, and the development of suitable route markers and signage in liaison with the Commission and/or the controlling authority.

The Applicant expressed concerns regarding the revised access recommendations as being "not reasonable", offered alternative access tracks that did not provide access to the Aorangi Forest Park or Kawakawa Hut, and rejected the revised recommendation for public walking access on a range of grounds, including the suggestion that the outcome is likely to "...adversely affect New Zealand's image overseas as a place to invest". It seems likely that the dispute provisions in the OIO consent will be triggered in the near future.

E Pyle advised the Board that this is the first time an OIO applicant has come this close to invoking a formal dispute. The OIO Consent provides for a standard mediation and arbitration process.

P Mudford provided an outline of the mediation process, and the steps for the process to follow.

**Action:** The Board

- a) **discussed** and noted with serious consideration the matters involved;
- b) **noted** the likelihood of the Commission becoming involved in arbitration through the Overseas Investment Office case;
- c) **noted** that management will provide a verbal update to the Board following their meeting with legal counsel.

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

#### 11. **Quarterly reports: 2016-2017 - Quarter 2**

The Board discussed a paper regarding the Commission's report to the Minister for the three months ended 31 December 2016.

Board members noted that the financial affairs of the Commission were satisfactory, and that this report had already been sent to the Minister's office and the Ministry for Primary Industries on Tuesday 31 January 2017.

E Pyle reported that the Commission received 74 enquiries (cases) in the quarter and resolved 45, with a further 11 cases 'closed no result'. A total of 354 cases were active with the Commission at 31 December, 36 of which are 'Access disputes' and the number of active Overseas Investment Office cases was 52, of which 15 were received and 8 were completed in the quarter. There were 13 access opportunities created or retained with the Commission's involvement.

A regional field advisor (RFA) workshop was conducted in November. The Commission now engages 12 RFAs. Management of the RFA network is supported by two RFAs appointed to coordination roles in a trial initiated in November 2016.

Board members noted that as a consequence of the Kaikoura earthquake in November 2016, the Commission was prevented from accessing its office accommodation at Revera House due to the extent of the damage caused to the building. Lease payments ceased from the end of November 2016, and the Commission has been advised that its lease has been terminated. The residual carrying value of leasehold improvements as at 31 December 2016 was written off.

The Commission hosted a trail development workshop in Hamilton on 29 November, in partnership with the New Zealand Recreation Association. The event was fully booked, with more than 80 representatives from trail development groups in attendance.

The Board:

- a) **confirmed** the Commission's Quarterly Report for the period ending 31 December 2016; and
- b) **confirmed** the Commission's Operation Reports for the quarter ending 31 December 2016.

Moved

B Stuart

Seconded

P Brown

Carried

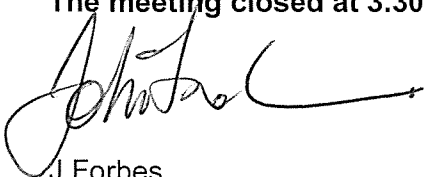
## 12. Correspondence

### Inwards

Office of the Hon Louise Upston, Associate Minister for Primary Industries, dated 24 February 2017, extending the requirement to provide a Statement of Intent until 1 July 2018.

The Chair invited Peho Tamiana to conclude the meeting with a karakia.

**The meeting closed at 3.30pm.**



J Forbes  
Chairperson

### Notes:

#### Land Information New Zealand (LINZ)

The Board met with LINZ chief executive, Andrew Crisp, between 9:30am and 10:10am. A briefing paper was presented by E Pyle prior to this meeting.

#### Digital Strategy

The Board workshopped a discussion paper titled *Towards a Digital Strategy* which was presented by E Pyle and A Wilson-Goldman.