

MINUTES
NEW ZEALAND WALKING ACCESS COMMISSION MEETING
1:00pm, 26 February 2015
Kingsgate Hotel
Hamilton

Board Members: J Forbes (Chair), M Bayfield, P Mudford, P Brown and B Stephenson.

In attendance: M Neeson (Chief Executive), R Cullinane (Operations Manager), D Knott (Corporate Services Manager) and P Tamiana (Kaumatua).

Opening Comments

The Chair invited Commission Kaumatua Peho Tamiana to open the meeting with a karakia.

1. Apologies

There were no apologies.

Conflicts of Interest

There were no conflicts advised.

Confirm Agenda

The board confirmed the Agenda for the meeting.

2. Confirm Minutes

The draft Minutes of the Meeting held in Wellington on 17 November 2014 were circulated and read.

M Bayfield noted an error in respect of Item 5, New Access. In the third paragraph, the sentence "The board considered the following set of priorities as its preferred current approach to obtaining new access: to promote and foster new access through its leadership function rather than create new access itself; to encourage and assist third parties to create new access through its Enhanced Access Fund, information and advice; and, as appropriate, to lead and co-ordinate projects which will lead to new and improved access at a regional or cross-regional level" should be replaced by "The board considered the following set of priorities as its preferred current approach to obtaining new access: to promote and foster new access through its leadership function; to encourage and assist third parties to create new access through its Enhanced Access Fund, information and advice; and, as appropriate, to lead and co-ordinate projects which will lead to new and improved access at a regional or cross-regional level."

There were no further matters arising from the Minutes.

Action: The Board

- a) **confirmed**, subject to the correction noted above, the minutes of the meeting of 17 November 2014 as being a true and correct record of the meeting.

Moved P Mudford **Seconded** M Bayfield **Carried**

3. **Statement of Intent and Draft 2015-2019 Statement of Performance Expectations**

The board discussed a report on the draft 2015-2019 Statement of Performance Expectations, and the current Statement of Intent.

J Forbes reported that he, and the chief executive M Neeson, had met with the Minister for Primary Industries on 12 February 2015 to provide an update on the Commission's strategic direction and intentions for the 2015-2019 Statement of Performance Expectations (SPE). There were no changes signalled to the Statement of Intent at this meeting.

M Neeson reported to the board that advice from the Ministry for Primary Industries is that it intends to reduce the number of its monitoring measures from five to one. This single measure would closely reflect the Minister's Letter of Expectations and will be assessed regularly based on our Quarterly reports. This new measure, which is yet to be advised formally, would concentrate on the Commission's timely resolution of access disputes as distinct from general enquires, the creation of additional walking access including Enhanced Access Fund projects, and increasing awareness and use of the walking access mapping system.

The board noted that the number of non-financial performance measures had been reduced, and that many of these measures were now survey-based providing an external assessment on the Commission's performance.

The board endorsed management's plans to continue to invest in the Commission's major asset – the walking access mapping system – and raising the Commission's profile. The Enhanced Access Fund forecasts, in addition to assisting with funding for enhancing the walking access mapping system and raising awareness, included an annual grant programme to the value to its interest income. The board noted the heavy workload for the remainder of the current financial year, including an emphasis on Overseas Investment Act cases and creating a development programme for the enhancement of the walking access mapping system, upon which the forecast financial statements are predicated. M Neeson advised the board that the forecast deficit may be less than forecast if some projects are not completed by year end. The draft SPE would be refined further prior to its release to the Minister, and management would continue to liaise with the board in this regard.

Action: The Board:

- a) **agreed** that no changes are required to the current Statement of Intent;
- b) **agreed**, in principle, to the draft Statement of Performance Expectations for 2015-2019 (as amended in discussion);
- c) **agreed** to invest \$399,000 in 2015-16, and \$290,000 in 2016-17, and \$50,000 in 2017-18 from the Enhanced Access Fund for enhancing the Walking Access Mapping System and communications and marketing, and other work programmes;

- d) **agreed** to fund EAF grants of \$62,454 in 2015-16, \$44,994 in 2016-17, \$36,378 in 2017-18, and \$35,111 in 2018-19, and
- e) **noted** the proposed arrangements to further develop the Statement of Performance Expectations prior to release to the Minister.

Moved P Brown **Seconded** M Bayfield **Carried**

4. Risk management report

The board discussed a report on risk management and reviewed the risk management register.

M Neeson advised the board that loss of key staff and knowledge remains the Commission's highest risk, followed by the concern for organisational capacity. The resignation of 3 regional field advisors had consumed a significant amount of management time on recruitment. R Cullinane reported that there had been good interest in the Otago, Southland and Taranaki roles and a new role for the Waikato region was attracting applications.

M Neeson recommended, and the board concurred, that the factor measuring the risk of differing local government, landholder and public views about the law and access issues be removed from future reporting and replaced with a new risk which encompasses communications in a wider sense.

Action: The Board

- a) **discussed** the risk report for February 2015.

Moved M Bayfield **Seconded** P Brown **Carried**

5. Enhanced Access Fund – 2014 round (tranche 3)

The board discussed a report on applications for tranche 3 of the 2014 EAF round.

A panel consisting of board members M Bayfield and P Mudford, and Commission staff R Cullinane and D Knott, had considered four tranche 3 applications and one application from tranche 3 that had been carried over whilst additional information was sought from the applicant. The panel recommended two applications for funding – the Rotary Club of Plimmerton for \$4,945 plus GST towards obtaining resource consent for a pathway around the Pauatahanui Inlet, and the Southland District Council for \$20,000 plus GST towards legal costs for easements over 13 private properties on the Around the Mountains Cycle Trail. M Neeson also approved \$1,723 plus GST for Vision Kerikeri towards obtaining a walkway easement over private land.

D Knott advised the board that funds available for tranche 4 applications was approximately \$13,000, and that Tranche 4 applications close on 28 February 2015.

Action: The Board

- a) **approved** funding for two applications from tranche 3, as recommended by the assessment panel;

- b) **agreed** that the chief executive advises each applicant of the Board's decision and invites successful applicants 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 decisions, and
- e) **noted** that, in accordance with his delegated authority, the chief executive made a discretionary payment from the EAF for \$1,723.04 (GST inclusive).

Moved P Brown **Seconded** B Stephenson **Carried**

6. Walkway and walkway easement liability

The board discussed a report on walkway and walkway easement liability.

M Neeson advised that board that the Commission had, since 2010, obtained numerous opinions from the Crown Law Office regarding walkways and the Commission's exposure to walkway and walkway easement liability. The Commission had developed standard documentation for easements to include the controlling authority as a grantee of the easement alongside the Commission. In addition, the Commission ensures that it was appropriately insured for the risk of damage to the walkway and that controlling authorities had appropriate public liability insurance as a condition of their appointment.

The board noted its delegated authority to the chief executive to approve walkways, and that any walkways approved under this delegation were included in the Commission's quarterly report to the Minister.

M Neeson noted that the review of the walkways policy and manual, which the board agreed at its November 2014 meeting to defer until later in 2015, should be reinstated on the work programme to ensure that the policy captures the key elements of the Crown Law advice. The board agreed to this.

Action: The Board

- a) **noted** the Crown Law Office opinions referred to in the report;
- b) **noted** the actions taken by the Commission to address the potential liabilities arising from walkway easements;
- c) **noted** that walking access easements are potentially more risky for the Commission than walkway easements;
- d) **noted** that the Commission should consider the use of walking access easements only as a last resort and any proposal for the granting of such an easement should be the subject of risk analysis and board consideration, and
- e) **noted** that the chief executive proposes to reinstate the review of the walkways policy and manual to ensure that the policy captures the key elements of the Crown Law advice.

Moved M Bayfield **Seconded** B Stephenson **Carried**

7. Wellington Accommodation Project (WAP 2) – Tranche 2

The board discussed a report on the Wellington accommodation project. This is a project being managed by the Property Management Centre of Expertise (PMCoE) within the Ministry of Social Development.

M Neeson reported that the Commission had received a directive from the Minister of Finance in June 2014 regarding property management. The PMCoE has been charged with securing accommodation for up to 24 government agencies in the Wellington area including the Commission. The proposed location, timing of any relocation from Revera House, and associated costs were unknown at this stage. Management undertook to keep the board informed of any developments.

Action: The Board

- a) **noted** that management has had discussions with the PMCoE regarding the Commission's accommodation requirements following expiry of the Revera House lease on 31 August 2018.

Moved M Bayfield **Seconded** B Stephenson **Carried**

8. Quarterly report: Second Quarter 2014-2015

M Neeson advised the board that the Quarterly report for the period ended 31 December 2014 had been sent to the Minister.

B Stephenson noted the successful meeting regarding access to the Ruahine ranges, and the collaboration required to achieve that outcome with the Department of Conservation and the Federated Mountain Clubs of New Zealand.

M Neeson reported that the second quarter had included: the announcement of the Aspinall Scholarship in December generating significant media interest from regional newspapers and rural media; the NZWAC Awards to John and Rosemary Acland, Te Araroa Trust and the Tasman District Council; the launch of the Commission's social media programme on Facebook and Twitter; and the promotion of a standard walkway easement with the New Zealand Law Society. The Commission was showing a financial surplus as at 31 December 2014, but there are a significant number of projects to be completed in the second half and the forecast deficit for the full year is less than that budgeted.

Board members thanked staff for their work and noted the impact the recruitment processes and large amount of reporting in January and February would have on the Commission's work programme and achievement of the statement of performance expectations.

Action: The Board

- a) **confirmed** the Commission's Quarterly Report for the period ending 31 December 2014.

Moved M Bayfield **Seconded** P Mudford **Carried**

9. Chief executive's report

The board discussed the chief executive's report for February 2015. M Neeson reported that the Select Committee questions consumed a significant amount of time during January, and February, as has recruitment for regional field advisors and a GIS analyst.

The board noted that the both sides of the fence website Top Outdoor Spot competition is currently under way. Five sponsors have provided prizes for this year's competition, and the search for sponsors for next year's competition is also progressing.

EvaluationConsult Limited have been engaged to undertake an external evaluation of the Enhanced Access Fund, and this report will be available for the May board meeting.

The board noted the resignation of Taranaki/Whanganui/Manawatu regional field advisor, Rod McGregor, and the chairman advised that he would write to Rod expressing the board's appreciation for his work in progressing the objectives of the Commission.

The board asked that work on the Commission's research strategy be progressed and not lost among other projects.

Action: The Board

- a) **received** the Chief Executive's report for February 2015.

Moved M Bayfield **Seconded** B Stephenson **Carried**

10. Operations report

The board received the operations report for the quarter ended 31 December 2014.

R Cullinane reported that the Commission had received 90 enquiries in the quarter and resolved 61, with a further 7 being closed as no result was considered likely.

The number of cases arising from purchases under the Overseas Investment Act (OIO) cases continued to increase with 10 received in the quarter, with 87 active OIO cases at 31 December. The workload generated by the increasing number of OIO cases has been addressed with the employment of a contractor to assist in reducing the number of outstanding cases.

R Cullinane noted that the Ruahine Access Programme, developed in consultation with the Department of Conservation, demonstrates how successful outcomes are possible as a result of a close collaborative approach to large asset access matters.

Two new regional field advisors – Chris Arbuckle from Dunedin and Ange van der Laan from Arrowtown - had been appointed, and recruitment was in process to secure a replacement regional field advisor for the Taranaki / Manawatu region.

Action: The Board

- a) **noted** the operations quarterly report for the period 1 October to 31 December 2014, and
- b) **noted** that considerable management time was spent in the quarter on recruitment matters.

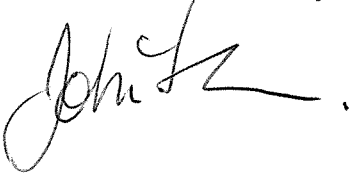
Moved B Stephenson **Seconded** P Brown **Carried**

11. Schedule of Significant Correspondence

Action: The Board noted the schedule of significant correspondence.

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

Meeting closed 3:40pm



J Forbes
Chairperson

Notes

1. The board held a workshop to discuss agenda items in the morning of 26 February.
2. The board hosted a forum (10:15am – 11:15am) for representatives of local government and the Department of Conservation.
3. The board hosted a forum (5:00pm – 6:30pm) for representatives of recreation groups and interested parties.

