

MINUTES

NEW ZEALAND WALKING ACCESS COMMISSION MEETING

8:55am, 15 February 2011

TAUPO

Board Members: J Acland (Chairman), J Aspinall, K Booth, P Brown, M Bayfield, J Forbes, B Stephenson and B Stuart.

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

Opening Comments

The Chair opened the meeting and welcomed attendees.

1. Apologies

There were no apologies.

Conflict of Interest Register

Kay Booth advised that she is a contract planner for the Molesworth Station management plan and a declared a potential conflict of interest if a discussion arose on access issues relating to Molesworth Station.

Confirm Agenda

The Board confirmed the Agenda for the meeting with the addition of item 7A Leadership, 7B Central North Island Forests: Kaingaroa and 10A Draft minutes from the meeting of 22 November 2010 for approval.

2. Operating environment update

The Board discussed the implications for the Commission of proposed changes in the state sector.

3. Induction process for new board members

The Board discussed the requirements for induction and noted that this would take place at the May meeting in Dunedin if the board appointment process was completed in time.

4. Outdoor access code: public education programme

The chief executive spoke to the paper proposing a programme to reinvigorate the promotion of the Outdoor Access Code. The board agreed with the proposed programme and noted:

- the importance of the code as a way of changing behaviours with a focus on responsibilities;

- the possibility of promoting the code with the release of the mapping system;
- that the code was not just about protecting property rights but included retaining access and environmental protection;
- that it was important to identify information needs before embarking on any audience research;
- the need to begin promoting the Code to overseas visitors.

Action: the Board

- Noted** the draft programme for promoting the Outdoor Access Code; and
- Noted** that the programme will be finalised taking into account the board's discussion and included in the Commission's business planning for 2010/11 and 2011/12.

Moved Peter Brown **Seconded** Kay Booth **Carried**

5. **Communications strategy: 2011 – 2015**

The chief executive spoke to the paper which looked at the Commission's broader communications programme and objectives. The board discussed whether:

- implementation could begin in March 2011 to coincide with other events at that time;
- the Commission's role was to contribute to sector research rather than to lead it;
- the Commission should be encouraging and empowering others to lead on access. The Commission needs to build partnerships;
- an annual media briefing would be worthwhile.

The board considered that the role of providing "tools" or products such as publications (e.g the Guidelines on Unformed Legal Roads) to assist stakeholders was very important that the Commission should give priority to recording and stating the "core story" about access. The board noted that additional FAQs on technical topics such as accretion and erosion might be useful.

It was proposed that the Commission investigate how it might partner with an appropriate producer or partner to produce an access-related TV programme or a series of programmes.

Action: the Board

- Noted** the proposed communications strategy; and
- Noted** that the chief executive will begin implementing it this financial year.

Moved Maggie Bayfield **Seconded** John Forbes **Carried**

6. Leveraging government funding (third party revenue)

The board discussed an information paper on progress to increase revenue through either leveraging government funding and/or finding sources of third party revenue. It noted that this is a high priority topic.

Action: the Board

- a) **Noted** that a successful third party revenue programme is complex and requires careful planning and research, and that resourcing may have time-commitment implications for board members;
- b) **Noted** that the chief executive has contracted an experienced external advisor (Kitty Hilton); and
- c) **Agreed** to hold a workshop to clarify objectives, identify possible partners and agree an implementation plan.

Moved John Forbes **Seconded** Brian Stephenson **Carried**

7. Draft Statement of Intent (SOI) for 2011/16

The board discussed the first draft of the proposed Statement of Intent (SOI) for 2011/16. Following discussion:

Action: the Board

- a) **Agreed** in principle to the draft SOI as amended; and
- b) **Agreed** that in the event that the SOI required changing after feedback from the Minister in April, agreement on the changes could be done by email.

Moved Brian Stephenson **Seconded** Maggie Bayfield **Carried**

7. A. Leadership (additional item)

At a workshop the previous day the board discussed leadership.

Action: The Board

- a) **Noted** the need for the board to have clarity about its role as an "access leader".

Moved Kay Booth **Seconded** John Forbes **Carried**

7. B. Central North Island Forests: Kaingaroa (additional item)

At a workshop the previous day the board discussed a draft "issues paper" on access-related matters in Kaingaroa Forest. The paper was also used to facilitate discussions

on topics such as "leadership" and vehicles. The board concluded at the workshop that the issues were pertinent to its mandate and agreed that it should formally resolve to investigate the issues in more detail.

Action: The Board

- b) **Agreed** that the chief executive explore further the potential role the Commission might take in respect of access in the Central North Island forests.

Moved Barbara Stuart **Seconded** John Aspinall **Carried**

8. **Walking Access Mapping System (WAMS): ownership and development**

The board discussed a paper which summarised a presentation and discussion at the November 2010 meeting on WAMS ownership and development.

It noted that key stakeholders should be advised of the proposed release of the WAMS in March.

The board considered that the current disclaimer page on the WAMS site should remain for the time-being.

Action: The Board

- a) **Noted** that the Commission will need to ensure that any enhancement of the WAMS will have to focus on those functions that can be of most value to users;
- b) **Agreed** to fund the resourcing of the WAMS within current budget;
- c) **Noted** that an advisory group will be established to advise the chief executive on the development and enhancement of the WAMS and that the chief executive will report regularly to the board on the activities and advice of this group; and
- d) **Agreed** that John Aspinall be the convenor of the WAMS advisory group.

Moved John Forbes **Seconded** Barbara Stuart **Carried**

9. **Dry Acheron Walkway – progress and date of opening**

The board expressed its pleasure that the first walkway under the Walking Access Act 2008 is to be opened in March 2011 and discussed Commission representation at the opening.

Mr Stephenson proposed that the staff assess whether it is possible and, if so, the merits, of placing a caveat on a title to land which is the subject of OIO access-related conditions of purchase.

Action: The Board

- a) **Noted** that the Dry Acheron walkway is the first to be declared under the Walking Access Act 2008;
- b) **Noted** the progress to date;
- c) **Noted** that the owners, Coleridge Downs Limited, wish to formally open the walkway on Saturday 5 March 2011; and
- d) **Agreed** that the Commission be represented by the chairman and the chief executive or his representative.

Moved John Forbes **Seconded** Kay Booth **Carried**

10. Dispute resolution policy

The board discussed a paper on the approach the Commission might adopt in resolving disputes. It agreed that a low-key constructive approach which minimises formal intervention is desirable and endorsed a “partnership” model while providing for other processes should the parties so request.

The Commission endorsed the following principles:

- a. The Commission’s priority is to develop and maintain positive relationships between and among the Commission, parties to an access dispute and other stakeholders.
- b. Enduring resolution of access disputes requires time for affected parties to understand legal, community and cultural elements of the access, and others’ points of view.
- c. A non-confrontational approach and processes where all stakeholders are positively engaged is most likely to achieve durable solutions.
- d. Formal mediation as a managed intervention in a dispute is an option where parties to the dispute prefer this approach.

Action: The Board

- a) **Agreed** to endorse the partnership approach to dispute resolution as the preferred model provided that parties may agree to use other processes.

Moved John Aspinall **Seconded** Brian Stephenson **Carried**

10. A. Confirm Minutes (additional item)

Action: the Board confirmed the minutes of the meeting of 22 November 2010, subject to amendments, as being a true and correct record.

Moved Brian Stephenson **Seconded** Barbara Stuart **Carried**

11. Compliance and enforcement policy – gazetted walkways

The board considered a progress report on developing guidelines for managing compliance and enforcement for gazetted walkways. It noted that staff will need to consult with the controlling authorities on the operational implications of the guidelines.

The board also discussed the merits and otherwise of appointing a staff member or a regional field advisor as enforcement officers. The chief executive noted that doing so would create statutory obligations as the Commission would need to ensure that such persons were trained appropriately.

Action: the Board

- a) **Noted** progress with development of the guidelines for managing compliance and enforcement for walkways and that a further report would be made after consulting the Department of Conservation, other controlling authorities and the NZ Fish and Game Council on the operational implications of the guidelines; and
- b) **Noted** that the Ministry of Agriculture and Forestry has yet to respond to the Commission's paper on compliance and liability in respect of access.

Moved Kay Booth **Seconded** Maggie Bayfield **Carried**

12. Walking Access Mapping System: Performance

Action: The Board

- a) **Noted** a paper summarising the WAMS technical performance.

Moved John Forbes **Seconded** Kay Booth **Carried**

13. Quarterly report for the period to 31 December 2010

The board discussed the second quarter report as provided to the Minister of Agriculture. The board was advised that regional field advisor reports would be circulated to the board.

Action: the Board

- a) **Noted** the Commission's Quarterly Report for the period ending 31 December 2010.

Moved Peter Brown **Seconded** Brian Stephenson **Carried**

14. Schedule of Significant Correspondence

The chief executive brought the board's attention to the correspondence with the Ministry of Transport concerning the Land Transport (Road Safety and Other Matters) Bill. The board expressed its disappointment at the lack of communication and co-operation from the Ministry of Transport.

The board agreed that the Commission write urgently to the Minister of Transport expressing its concerns with clauses relating to the bylaw making powers in respect of unformed legal roads. The board considered that the changes represent a "huge shift in power".

The board also agreed that it was important that the Commission keep talking to MoT officials and stakeholders.

The board advised that while it could accept short term pragmatic solutions to access problems those solutions should be converted to enduring solutions in the long term.

Action: the Board

a) **received** the schedule of significant correspondence

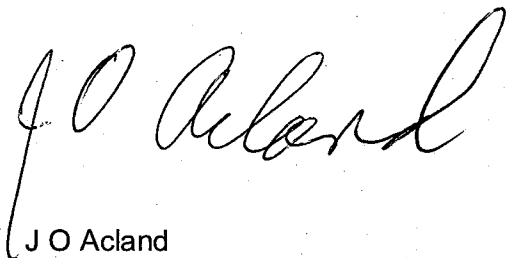
Moved Kay Booth **Seconded** John Aspinall **Carried**

b) **agreed** that the Commission should write urgently to the Minister of Transport expressing its concerns with clauses relating to the bylaw making powers in respect of unformed legal roads in the Land Transport (Road Safety and Other Matters) Bill.

Moved Brian Stephenson **Seconded** Kay Booth **Carried**

The meeting closed at 12:05pm

Next meeting: 15 March, Wellington.



J O Acland

Chairperson

15 March 2011