

MINUTES

NEW ZEALAND WALKING ACCESS COMMISSION MEETING

30-31 July 2009, Turnbull House, Wellington

Board Members: J Acland (Chair), J Aspinall, M Bayfield, K Booth, J Forbes, B Stephenson, B Stuart.

In attendance:

M Neeson, H Donaldson; B Lynch.

Opening Comments

The Chair opened the meeting at 9.00 am and welcomed attendees to the Stakeholder Forum. Notes from the Stakeholder Forum are attached.

1.1 Apologies

An apology was received from P Brown.

1.2 Conflicts of Interest Register

No conflicts of interest were identified.

1.3 Confirm Agenda

The tabled Agenda for the meeting was confirmed by the Board.

1.4 Appointment of temporary Deputy Chairman

In the event that the Chairman is unable to attend all or part of any meeting the Board agreed that the temporary Deputy Chairman will be M Bayfield.

Moved (J Aspinall/J Forbes)

The motion was put: carried

General

Waikato-Tainui Agreement

It was agreed that a briefing on the possible implications of the Waikato-Tainui Agreement for walking access will be helpful, and that there may be scope for an MOU between the Commission and Waikato-Tainui, and possibly others.

Expenses

The Chief Executive approved a one-off payment for reimbursement of an airfare to enable a Te Araroa Trust representative to attend the forum at short notice. The Board discussed this and agreed that any such arrangements should be discretionary and limited.

Reflection on forum

A forum was held from 10.00 to 13.00 pm with the invited representatives from ten stakeholder organisations to discuss the draft National Strategy on Walking Access, the draft Outdoor Access Code, and any other issues that the major stakeholders might wish to raise. Notes from the forum are attached.

National Strategy on Walking Access

Generally, the Board felt that the forum participants had endorsed the Strategy, specifically its five goals. Discussion took place on specific aspects of the Strategy that arose from the workshop and Board members reflections on workshop participants' comments and points were noted for Strategy amendment,

The balance between walking access and other forms of access was raised several times at the forum.

It was noted that the focus of the Walking Access Act 2008 is walking access and that achievement of other forms of access in association with walking access is likely to evolve as trust is developed with landholders. The National Strategy needs to be clear that walking is the priority. It was recognised that other forms of access may be intrinsically linked.

It was agreed that part of the content of the draft Outdoor Access Code references to Maori land should be captured in the Strategy and that it would be helpful to add a concise table showing the short-term and long term information within goal 3.7.3.

Outdoor Access Code

The Board felt that workshop participants had generally endorsed the Code. Points were noted for Code amendment that arose from the workshop and Board members reflections on workshop participants' comments.

It was noted that there will be further consultation with such groups as SPARC, DOC and Tourism NZ.

C Mulcock will prepare an accompanying submission form to help reviewers focus on Code issues and assist the consolidation of responses. Indicative questions may be "Would you use it?" and "Would you use the small card?"

It was noted that the Code may need to be amended in about a year to promote the mapping information source once this becomes available.

Other comments were noted, including that future work would be undertaken to expand the Code. This should include information about access to other types of land (similar to the information given for Maori land) and other matters as required (e.g. activity-specific information).

Next steps

The draft National Strategy on Walking Access and the draft Outdoor Access Code will be reviewed with respect to comments received and updated documents will be provided to the August Board meeting.

Once the draft documents have been signed-off, they will be forwarded to the Minister. It is expected that both draft documents should be able to be released for public comment during October. It is intended to release them simultaneously.

Mapping

Moved that the Board go into Committee to discuss the mapping contract (M Bayfield/J Forbes)

The motion was put: carried

The Board went into Committee.

Moved that the Board come out of Committee (J Forbes/ M Bayfield)

The motion was put: carried

1.5 Public Access Mapping System – Business Case & Project Management Plan

The Board was advised that the short listed bids all include a basic GIS that uses topographical and cadastral data drawn from LINZ, plus imagery from various sources of varying quality.

All provided for additional layers information to be added to this base. Other features include the capacity for dealing with inquiries and information from the public, links to other websites, and colour coding of different forms of access.

Hardware could be owned or provided via a hosted server.

Further considerations include the introduction of symbols (icons, such as no dogs, blasting in progress); advice on those unformed legal roads that do not provide safe or reasonable access (e.g. they go over a cliff); ability to deal effectively with "hot spots" (where a lot of questions are coming from an area); differentiating between fixed and ambulatory marginal strips, and the possibility of adopting KiwiImage in the future.

It was noted that a disclaimer would be needed on the website in view of the limitations on the accuracy of the data.

It was discussed that the Commission will not be responsible for correcting data errors (in the underlying LINZ spatial datasets). This is the role of LINZ. The Commission may advise LINZ as errors are noted.

The Board

- a. **noted** that the Walking Access Act 2008 requires the Commission to develop and issue a mapping system for the New Zealand public to provide them with authoritative and reliable information in relation to walking access;
- b. **accepted** the need for a combined business case and project management plan for a Public Access Mapping System;
- c. **agreed** it should include user representation on the steering committee and that the key stakeholders had been invited to nominate suitable people to fill this role;
- d. **noted** that the Board received a verbal report on the four proposals reviewed by the Public Access Mapping sub-committee;

- e. **requested** the sub-committee provide a paper to the board at its August meeting on the outcome of the assessment and evaluation of the tenders received against the draft business case including costing;
- f. **requested** the Chief Executive arrange an external independent assessment of the draft business case for the Public Access Mapping System;
- g. **agreed** that the Chief Executive enters into in-principle negotiations with Terralink International Ltd as the Commission's initial preferred supplier;
- h. **agreed** that the Chief Executive report back to the August meeting on progress on those negotiations with Terralink;
- i. **agreed** that the Chief Executive be authorised to obtain legal advice, if required, on the negotiations and contract;
- j. **requested** the Chief Executive arrange an external independent assessment of the Terralink proposal against the draft business case;
- k. **agreed** to review progress on negotiations and evaluation reports at the August meeting;
- l. **agreed** to invite Terralink to make a presentation to the Board at the August meeting;
- m. **agreed** to advise the four tenderers that the Commission has selected Terralink as their preferred supplier, subject to commercial negotiations;
- n. **thanked** the sub-committee for its work in evaluating the proposals;
- o. **noted** that further costs are likely to be required for the project and that the combined business case and management plan should be amended for this; and
- p. **noted** that the Output Agreement with the Minister for 2009/10 requires a copy of the business case to be provided to the Minister by 30 September 2009.

Moved (J Forbes/ K Booth)

The motion was put: carried

1.6 Public Access Mapping System – Mapping Panel Process

This was included in the above discussion on the System.

2.1 Confirm Minutes

The Board confirmed the minutes of the Board meeting of 25-26 June 2009 as being a true and correct record.

Moved (J Forbes/ M Bayfield)

The motion was put: carried

Matters Arising

Accommodation

The lease has been signed; fit-out arrangements are being made, and the Commission was expecting to move to Revera House in early October. Branding cannot be determined until the corporate identity has been agreed.

Insurance, including Public Liability insurance

At the June meeting the Board noted that the Commission needs to consider insurance against sick leave for staff and public liability insurance. This is yet to be determined.

Public sector performance

The speech by John Whitehead, Secretary of The Treasury, of 20/07/09 was circulated for Board information and the comments in it about financial management in the public sector were noted

2.2 Financial Report

The Board

- a. **accepted** the accounts of the Commission as at 30 June 2009.
- b. **agreed** that the investments of \$1,700,000 be reclassified as the contestable fund.

Moved (J Forbes/ J Aspinall)

The motion was put: carried

2.3 Quarterly report

The draft quarterly report was tabled and discussed.

An easement under the Te Raroa settlement was completed during the period and should be added to the report.

The Board agreed that the major task of the Commission is stakeholder engagement, not “kms of new walkways”. It was noted that in 2005 the government incurred considerable time in media management on access issues. Since then there has been a large attitude change and commitment at that level is no longer being incurred. Public access issues remain a major ongoing risk for the government and the Commission has a significant role in mitigating that risk.

To assist the public to understand the role of the Commission, a one to two page paper, explaining what the Commission does is to be added to the website.

The Board

- a. **agreed** that the draft quarterly report to the Minister for the reporting period from 1 April 2009 to 30 June 2009, with any agreed amendments, be forwarded to the Minister

- b. **agreed** that the CEO be approved to sign quarterly reports.

Moved (B Stuart/ M Bayfield)

The motion was put: carried

2.4 Financial policies

The Board

- c. **agreed** to the following financial policies:
- Asset management and disposal policy
 - Cash and debt management policy
 - Project management and governance policy
- c. **noted** that these financial policies are read together with other financial policies agreed to by the Board, including the delegated financial authorities.

Moved (K Booth/B Stuart)

The motion was put: carried

2.5 Code of Conduct

The Board considered a letter on the application of the State Services code of conduct to the Commission from Iain Rennie, State Services Commissioner, of 3 July 2009. A reply is to be sent.

A copy of "Understanding the code of conduct – Guidance for State servants", SSC, revised 14 December 2007, and "INTEGRITY & CONDUCT SURVEY, Summary of Findings", SSC 07, was provided to each Member.

Appendix B: Register of Interests is to be amended to show interests that could conflict with the work of the Commission. The amended Appendix is to be emailed to Members for their completion.

The Board

- a. **agreed** to the Code of Conduct, with an amended Register of Interests, to guide the Chairman and Board of the Commission as to the manner in which they are expected to conduct themselves in their capacity as Members; and
- b. **agreed** that the State Services Commission code of conduct for government employees apply to the staff of the Commission.

Moved (J Forbes/K Booth)

The motion was put: carried

2.6 Corporate profile

Possible logo options were discussed. While the Commission's focus is on walking access it was noted that this may broaden in the future and that to future-proof the logo it should emphasise 'access', rather than walking access. The designers are to be asked to prepare some new options on this revised basis.

It was agreed that the Commission's logo must be clearly identifiable on a fence post, as well as work on letterhead.

2.7 Trade mark protection

Trade mark registration was discussed. Organisations usually have trade mark protection in relation to a range of products. It is wider than a logo and words.

A paper is to be provided that confirms what copyright the Commission has, if any; explains the difference between copyright and trade mark protection, and shows the indicative costs of obtaining trade mark protection.

2.8 Correspondence

The correspondence was received.

The question was raised in relation to the MOU with DOC (para 7.2) as to how many ungazetted walkways there are.

It was explained that DOC walkways were often not gazetted, either due to lack of time, unwillingness on the part of landholders or for other reasons; and that it has been a challenge to obtain a stocktake showing what walkways have been gazetted, what other walkways DOC has, the location of the legal documents and walkway standards and processes. Commission staff will seek clarification from DOC as time permits.

2.9 Overseas investment Act

The Board considered that it should await the outcome of the Government's review of the Overseas Investment Act before considering the need for a MOU with the Overseas Investment Office. It would then identify the implications of any changes for public access and the Commission, what resources are needed, and what risk management is required.

The Board

- a. **noted** the review process for the Overseas Investment Act 2005.

Moved (John Forbes/M Bayfield)

The motion was put: carried

3.0 Walking access easements

Concern was expressed as to whether the form of easement proposed also covers non-walkways, such as tracks and trails.

- a. The Board noted that the report from Mr Hayes on liability issues and form of walkway easements has been received and that it has been passed to the Crown Law Office for a legal opinion.

Moved (John Aspinall/B Stuart)

The motion was put: carried

3.1 Māori name for the Commission

The paper was held to the next meeting. The recommendations on the paper are to be extended to show the English translations of the Maori text.

The draft plans for the October meeting at Nelson were discussed. Members are to note that the first site visit is at 13.00 on Sunday 18 October and to advise their travel arrangements.

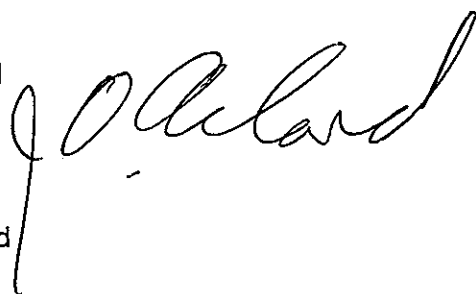
A schedule of proposed meeting times for 2010 is to be prepared for the next meeting. Members expressed an interest for meetings at 6 week intervals in 2010.

The meeting closed at 12.30 pm.

The next meeting is on 24 August at The Terrace Conference Centre, 114 The Terrace, Wellington.

Approved

J O Acland
Chairman
24/08/09

A handwritten signature in black ink, appearing to read 'J O Acland', written over a vertical line that extends from the signature down to the typed name below.