

MINUTES

NEW ZEALAND WALKING ACCESS COMMISSION MEETING

8:30am Monday 22 March 2010

Te Kaha Hotel, Te Kaha

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

In attendance: M Neeson (Chief Executive), P Litras and C Bell

Opening Comments

The Chair opened the meeting and welcomed attendees.

1. Apologies

Apologies were received from Barbara Stuart.

Conflict of Interest Register

No conflicts of interest were declared.

Confirm Agenda

The Board confirmed the Agenda for the meeting.

2. Chief Executive's Report

The Board noted advice that Crown entity boards will be expected to institute regular self evaluation processes of board performance. The Chief Executive explained that this was a standard requirement of boards and it was focused on the board reviewing its own performance for its own use. He noted that the Board had already agreed to undertake such a review later in the year.

Following discussion of the report the Board:

- **Agreed** to appoint Kay Booth and Barbara Stuart to the Enhanced Access Fund evaluation panel;
- **Agreed** to establish a Chief Executive performance review subcommittee;
- **Agreed** to appoint John Acland and Maggie Bayfield to the Chief Executive performance review subcommittee;
- **Agreed** to establish an audit and risk subcommittee;
- **Agreed** to appoint John Forbes and Brian Stephenson to the audit and risk subcommittee; and
- **Agreed** in principle that the Chief Executive initiates planning for an overseas trip in September 2010 to examine walking access management and administration in the UK, Scandinavia and Canada.

Moved P Brown

Seconded J Aspinall

Carried

The Board supported the Chief Executive putting his nomination forward for a position on a conservation board, noting that this would be in an individual capacity.

3. Asset management plan – mapping system

The Board considered a paper on and options for, managing the capital assets associated with the mapping system, in particular the funding of depreciation. The board acknowledged that it was desirable to keep options open to fund future enhancements and, as the mapping system evolves, the money set aside could be used to meet new requirements

The Board:

Agreed that the Chief Executive should explore options with MAF and Audit NZ but with the view to retaining funding for enhancing the mapping system in the future.

4. Letter of Expectations

The Board discussed and noted the Letter of Expectations received from the Minister of Agriculture on March 2010. The board asked that the MAF monitoring unit be invited to give an update at the board's next meeting.

5. Statement of Intent (Sol)

The Chief Executive advised that the first draft Sol (as circulated to the board) would be rewritten to be more concise. The next draft would also more clearly include reference to the Minister's requirements as outlined in the Letter of Expectations.

The Board discussed the draft Sol and provided comment. Kay Booth noted that the wording of the outcomes in the Sol and the draft strategy differed and needed to be reconciled.

A second draft incorporating the Board's comments would be circulated for final comment prior to forwarding it to the Minister in mid-April under a cover letter from the chairman.

The Board:

Approved the draft Sol and noted that another draft of the Sol would be circulated incorporating comments from the Board prior to forwarding it to the Minister in mid-April under a cover letter from the chairman.

Moved K Booth **Seconded** M Bayfield **Carried**

6. Draft National Walking Access Strategy

The Board discussed a report, revised draft strategy and the progress report on the analysis of the submissions prepared by Jo Breese from Tourism Resource Consultants Ltd. The Board noted the wider issues raised by the submissions. It also noted the value in having a major policy issue for consideration at each board meeting.

The Board:

Approved in principle the draft strategic framework and for it to be developed for final consideration at the April board meeting;

Received the progress report on the analysis of submissions and noted that it will receive a full report for the board's April meeting;

Invited the Chief Executive to circulate the draft strategy to all key national stakeholders for consideration and comment;

Agreed that the consultation timeframe for this next draft would be for one week and that any further comments received would be considered at the April Board meeting.

Noted the possible operational policy issues and related strategic issues identified in the submission analysis process.

Moved K Booth **Seconded** M Bayfield **Carried**

7. Draft Outdoor Access Code

The Chief Executive introduced the item advising the Board that this was a major milestone. The Board discussed and provided comments on a report, submission analysis and revised code and brochure prepared by Claire Mulcock.

The Board acknowledged Claire's valuable contributions to and drafting of the code and brochure. The Chief Executive advised that the Minister of Agriculture would be invited to launch the code along with the proposed strategy in May.

The Board:

- a. **noted** the overview report on the submissions and proposals for amending the Outdoor Access Code;
- b. **noted** the issues raised in submissions, but outside the scope of the Outdoor Access Code, and referred these to the Chief Executive for further consideration;
- c. **agreed** to the proposed revisions to the draft Outdoor Access Code or as amended by the Board;
- d. **agreed** to the proposed revisions to the draft brochure, or as amended by the Board;
- e. **agreed** that the draft wallet card is not taken any further;
- f. **agreed** that the draft 'Analysis of Submissions' be accepted, subject to any amendments requested by the Board;
- g. **agreed** that the Code, Brochure and Analysis of Submissions be finalised for publication, subject to the Chief Executive approving any remaining amendments;
- h. **agreed** to provide a single response to submitters on the Code and Strategy with advise on key decisions and how to obtain copies of the various documents (electronic and hard copy); and

- i. **agreed** to invite the Minister of Agriculture to contribute a foreword to the code.
- j. **noted** that further work is required on plans to disseminate and publicise the Outdoor Access Code

Moved M Bayfield **Seconded** J Aspinall **Carried**

8. Delegation of Statutory Powers

The Chief Executive introduced the item which invited the board to consider delegating certain statutory functions and powers to the chief executive as provided for by the Crown Entities Act 2004. This would enable the Commission to give effect to those functions and powers in a timely and efficient way.

The Board discussed the paper and noted that:

- it was helpful because it focused the board's attention on the boundary between governance and management; and
- there are matters such as setting policy and amending the code and strategy which were the board's responsibility.

The Board thought it would be helpful if a further paper was prepared which presented the delegations in a way which identified matters considered to be strategic, policy and operational and some way of classifying the level of risk attached to each grouping. It also asked that the Chief Executive seek advice from its legal advisers on whether the board needed to delegate statutory functions.

The board:

Agreed that there was a need to delegate certain powers and functions to the Chief Executive to help ensure the efficient operation of the organisation; and

Requested that a revised paper be considered at the April meeting reflecting the Board's discussion.

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

9. Confirmation of the Minutes 16 February 2010

The Board confirmed the minutes of the meeting of 23 November 2009 as being a true and correct record.

Moved J Aspinall **Seconded** P Brown **Carried**

10. Matters Arising

K Booth asked whether a record was kept of all stakeholders who attended the regional forums. C Bell confirmed that the Commission has a contacts database which includes contacts details for participants who attended the Commission's regional forums. The board asked that all the participants be sent a copy of the Commission's newsletter.

The Board agreed to reconsider the request for a legal opinion on the term "best endeavours". The request arose in a discussion at the February meeting where it was noted that the term was used in two consents given by the Overseas Investment Office. The Chief Executive noted that clarification would have to be given in the context of a specific case and this was the responsibility of the Overseas Investment Office. It was not appropriate for the Commission to seek legal advice where there was not yet a problem and in which the Commission was not the decision-maker.

11. Schedule of significant correspondence

Action: The Board received the schedule of significant correspondence.

Moved P Brown

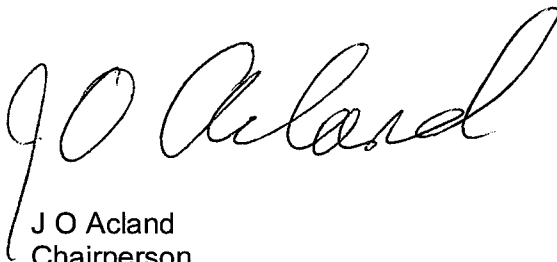
Seconded J Forbes

Carried

12. Acknowledgement

On behalf of the Board and staff, the Chairman thanked John Forbes and Maggie Bayfield for organising the field trips, consultation meetings and events during the Board's 2.5 days in the Opotoki and Whakatane area.

The meeting closed at 3:20pm.



J O Acland
Chairperson
26/04/10

Note: During the 2.5 days the Board spent in the Opotoki and Whakatane area it:

- investigated and discussed access matters associated with a proposed regional park in the Ohiwa harbour area and initiatives by Environment Bay of Plenty and the Opotoki District Council to provide public access;
- held an informal BBQ for, and gave a presentation to, representatives of organisations and individuals involved in managing, providing and utilising access across public and private land in the region; and
- held a forum on access in the region with the Chief Executive of the Bay of Plenty Regional Council, the Chief Executive of Whakatane District Council, the Parks Manager for the Opotoki District Council and the Bay of Plenty Regional Conservator for the Department of Conservation.