

MINUTES

NEW ZEALAND WALKING ACCESS COMMISSION MEETING

8:00am, 11 November 2013

Copthorne Hotel Grand Central, New Plymouth

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

In attendance: M Neeson (Chief Executive), D Knott (Corporate Services Manager), R Cullinane (Operations Manager) and R McGregor (Regional Field Advisor).

Opening Comments

The Chair opened the meeting and welcomed attendees.

1. Apologies

There were no apologies.

Conflict of Interest Register

M Barnett advised that the Department of Conservation had approached him to manage the Otago Rail Trail and asked that this information be noted in the Interest Register. He explained that the department's approach was informal and that it could generate adverse publicity.

Confirm Agenda

The Board confirmed the Agenda for the meeting.

2. Strategic Direction and Statement of Intent: 2014-2018

M Neeson delivered a presentation on the upcoming Statement of Performance Expectations (SPE) and the Statement of Intent (SOI) in support of the Board Paper. The SPE can be submitted to the Minister with the annual budget. This document will be worked on for the next 3 or 4 months. The SOI can be submitted at any time up to the tabling of the 2013-2014 Annual Report. He proposed the board complete the drafting of both documents in April 2014.

As advised following the annual audit to 30 June 2013, the Commission's performance measures need to be refined and reviewed to ensure that they are appropriate for the next phase of the Commission's development. The next SOI needs to lead into the review of the Walking Access Act in late 2018 or early 2019.

The Board reviewed the paper, and the outcomes framework as amended in August 2013, and agreed that it reflected the board's long term strategy for inclusion in the SOI for 2014-2018.

The Board discussed the content of a letter to the Minister describing the Commission's strategic intentions for 2014-2018. This letter is the starting point for a discussion with the Minister in regard to the Statement of Intent (SOI) for 2014-2018. The strategic direction reflects workshops and forums over the past 5 months. The

Board asked that the letter be revised to reflect the discussion and the chief executive undertook to liaise with the Chair and board members regarding the final letter.

Board members expressed concern that the ability of the Commission to continue to fund on going investment in WAMS, Both Sides of the Fence and “awareness raising” was being affected by the Commission’s fixed income.

The Board discussed the performance measure in the current SOI that the Commission would have an operational plan to seek third party revenue by June 2014. It was aware that this was no longer a Ministerial priority and considered that the project would take resources away from the core business. It agreed not to pursue the project but would be open to work collaboratively with third parties should opportunities arise.

Action: the Board

- a) **approved** the outcomes framework, as amended in August 2013, and the proposed long term strategy for inclusion in the SOI for 2014-2018;
- b) **approved** the release, following inclusion of Board comments, of the letter of strategic intent to the Minister;
- c) **noted** that there is a limit to what the Commission can achieve with a fixed income and there will be a need to raise additional funds to achieve the Commission’s outcomes; and
- d) **agreed** that the Commission would not pursue a plan for third party revenue as it would take resources from the core business and to be open to collaboration with other parties should opportunities arise.

Moved M Barnett **Seconded** P Brown **Carried**

3. **Walking Access Mapping System Strategy**

The Board reviewed a paper which sought Board guidance regarding the strategic direction for the Walking Access Mapping System (WAMS) for the next 3-4 years.

The Commission’s statutory function’s include a requirement to compile, hold and publish maps and information about land over which members of the public have walking access (section 10 (1) c of the Walking Access Act, 2008). It has met this requirement through the WAMS web site.

It has become evident that, since the launch of WAMS 2, the vision for WAMS adopted in 2011 is not able to be fully realised given the available resources. It is timely to consider an alternative vision that reflects the Commission’s resources and the rapidly evolving GIS environment within which WAMS operates.

The Board acknowledged that WAMS had made significant progress in providing an authoritative source of information, which is publically accessible, and can be relied upon. It considered three options for WAMS: maintaining the existing system with essential updates; remedying the system’s identified shortcomings through increased investment; and refocusing the mapping function on the provision of public access data to external providers.

M Neeson advised that the staff supported option 3. It would require additional funding to improve the public access data and to upgrade to version 10.2 of the ARC GIS software.

R Cullinane added that the third option would also provide other benefits including managing the increased data being used in WAMS, a track data set, and more flexibility for the Commission to manage its own material within WAMS.

M Barnett considered that, given the financial constraints on the Commission and that IT projects face constant change, the Commission's immediate priority should be to concentrate on its desktop application and not invest further on the mobile application. The Board agreed with this approach and with the recommendation to proceed with option 3. P Brown noted the need to grow the WAMS market.

M Neeson undertook to provide a more detailed funding paper for the February 2014 board meeting and, in response to concerns from M Bayfield, he advised that the paper would include projected costs for other projects for the next SOI period.

Action: The Board:

- a) **noted** that the Commission is not equipped or resourced to undertake big changes to the Walking Access Mapping System;
- b) **agreed** that the investment and management strategy for WAMS for 2014 to 2016 should provide for incremental improvements and be sufficiently flexible to allow for changes in ways to deliver mobile functionality within financial resources;
- c) **agreed** to the following revised strategic direction for WAMS:
WAMS will be the authoritative source of data on land over which the public have walking access;
- d) **agreed** that the proposed strategy focus for 2014-2016 focus on retaining and enhancing the reputation of WAMS desktop and planning for mobile enhancement;
- e) **agreed** to refocus the WAMS policy on the provision of public access data to external providers;
- f) **noted** that the indicative cost of the revised strategy (Option 3) is \$123,600 in 2014-2015;
- g) **noted** that management would report back at the February 2014 board meeting on the expected costs for WAMS and projected costs for other projects for the next SOI period; and
- h) **noted** that it is not possible to achieve the proposed strategy without either reprioritising existing functions and resources or finding new funding streams.

Moved

M Barnett

Seconded

P Brown

Carried

4. Confirm Minutes

Action: The Board

- a) **confirmed** the minutes of the meeting of 23 September 2013 as being a true and correct record.

Moved B Stephenson **Seconded** M Barnett **Carried**

5. Risk management register

The Board considered and reviewed the risk management register.

M Neeson advised that since the last review in August 2013, one risk (Activity Levels) remains unchanged and two (Competing and multiple priorities and Leveraging funding) have a slight increased rating and that three (Co-ordination with local government, WAMS, and Commission performance) have a slight decreased rating. There is one new emerging risk (Recent amendments to the Crown Entities Act), one has been deleted and three others remain unchanged.

As noted in the chief executive's report (Agenda item 12), the workload has increased since mid-2013 and resources are now fully committed. The big areas of work are developing the next Statement of Intent, case management and mid-term planning for the Walking Access Mapping System.

In response to a question from M Barnett, R Cullinane advised that the WAMS server was located in Auckland, there was back-up available, but that full system redundancy was considered too expensive at this stage.

Action: The Board

- a) **discussed** the risk register for November 2013.

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

6. Enhanced Access Fund

The Board considered a paper which proposed that the Board consider whether to proceed with a 2014 round for the Enhanced Access Fund (EAF) and confirm the existing policy or defer the 2014 round and provide one-off funding for the Commission to enhance access, for example, supporting the Walking Access Mapping System (WAMS).

The Board noted that a previous agenda item (3) proposed a revised strategy for the WAMS with indicative costs.

The Board affirmed its view that the Enhanced Access Fund was important in engaging communities and building the Commission's public profile and the potentially negative impacts if the funding round was not undertaken. It considered that a reduced round, managed carefully would be valuable. Various approaches were considered including applications being submitted to the Commission throughout the year rather than having a single application closing date and for regional field advisors playing a greater role in identifying potential grant applicants.

The Board agreed that EAF funds not applied to EAF grants could be applied to supporting WAMS and other Commission projects.

The Board noted the need to formally evaluate the EAF and projects in 2015-2016 at an indicative cost of \$15,000.

Action: The Board

a) **agreed** to:

- a reduced 2014 funding round for the Enhanced Access Fund (EAF) with the limit being set at the February Board Meeting, and
- providing support for one-off funding to support the Walking Access Mapping System and other Commission projects as noted I agenda item 1; and

b) **agreed** to fund an evaluation of EAF projects in 2015-2016.

Moved P Mudford **Seconded** M Barnett **Carried**

7. **Financial governance – Gifts and Hospitality Policy**

The Board approved a revised gifts and hospitality policy. The original policy was approved in May 2009. The revised policy updates the Commissions practices relating to the purchasing and receiving of gifts and benefits and is consistent with the principles of the Guidance for Crown Entities issued by the State Services Commission. M Barnett proposed that the cost of any individual gift should not exceed \$200.00.

Action: The Board

a) **approved** the revised Gifts and Hospitality Policy, as amended for the cost of any individual gift not exceeding \$200.00.

Moved P Brown **Seconded** M Barnett **Carried**

8. **Financial governance – Asset Management and Disposal Policy**

The Board approved a revised Asset Management and Disposal Policy. The original policy was approved in July 2009. The policy review showed that some of the terminology and management positions referred to in the existing policy were outdated and needed to be revised. The revised asset management and disposal policy better reflects the current organisational structure, accounting practice and records maintained by the Commission.

Action: The Board

a) **approved** the revised Asset Management and Disposal Policy.

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

9. Unformed legal roads intersecting conservation land and national parks

Following a discussion at its September 2013 meeting, the Board discussed a paper on the status of unformed legal roads (ULR) intersecting conservation land and national parks, and to advise on the process that might be used by the Department of Conservation (DOC) to stop these roads.

The Board noted that although the DOC policy for seeking to stop unformed legal roads in conservation areas and national parks is of some concern, there are reasonable protections from roads of value for public access being stopped.

The Board affirmed its indicative view in September 2013 that DOC should endeavour to manage any problems associated with ULR rather than seek to have them stopped. Cases should be considered on a case-by-case basis with very good reasons before stopping should be pursued.

The Board requested that the Chief Executive write to DOC describing the Commission's concerns.

Action: The Board

- a) **noted** the legal status of unformed legal roads intersecting conservation areas and national parks;
- b) **noted** the processes for stopping unformed legal roads; and
- c) **agreed** that the chief executive write to the chief executive of the Department of Conservation describing the Commission's position and as a basis for further discussion with the department.

Moved B Stephenson **Seconded** M Barnett **Carried**

10. Access dispute management

The Commission has a statutory function enabling it to facilitate resolution of disputes about walking access, including initiating negotiations about disputed access (section 10(1) (e) of the Walking Access Act, 2008). The Board discussed a paper which described the Commission's recently formalised processes for managing access disputes.

The paper discussed the term "dispute" within the context of the Walking Access Act - the Commission's dispute resolution function involves the provision of information and advice and facilitation of a negotiated solution compared to the processes of other dispute resolution bodies such as the Insurance and Savings Ombudsman.

The Commission's dispute management processes need be clearly articulated for the public, enquirers and those with an interest in the Commission's performance to remove doubt or confusion.

Staff developed guidelines and a flow chart to better understand the Commission's role in any Access Enquiry and Access Dispute Management process. When complete, the material will be uploaded to the corporate site and accessible from WAMS. The guidelines for case managers and regional field advisors will be refined and issued as Commission guidelines for managing access dispute cases.

The Chair asked that the guidelines include a statement noting the need to clarify at the outset about the “ownership” of the problem – the Commission should not take on cases where avenues of resolution have not been fully explored.

Action: The Board

- a) **noted** the definition of “access dispute” and the processes used to manage such cases;
- b) **noted** the draft explanation, work flows and guidelines for managing access disputes; and
- c) **noted** the intention to publish the public focused material on line.

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

11. **Quarterly report: First Quarter 2013-2014**

The Board noted the quarterly report for the period 1 July – 30 September 2013. The report included the Commission’s reporting against the Statement of Intent and a diagrammatic “dashboard” in the financial report.

The chief executive advised that there were no major surprises or unexpected items in the report. There was a small financial surplus for the quarter. The Board noted that management is reviewing the need to upgrade the WAMS server software which if progressed will offset depreciation savings.

Action: The Board

- a) **noted** the Commission’s Quarterly Report for the period ending 30 September 2013.

Moved P Brown **Seconded** M Barnett **Carried**

12. **Chief Executive’s Report**

The Board discussed the chief executive’s report for October 2013. He advised that the workload was high with very limited capacity to absorb new projects and/or redirect funds. As noted in the September report, there is a multitude of reasons including a substantial increase in pre and post OIO applications, public-initiated access projects, managing some complex high profile cases and strategy planning.

The Board agreed to undertake its annual self-review at its February or March 2014 meetings.

The chief executive advised that the Commission was creating a “Results Library” to provide a publicly accessible, comprehensive and concise picture of the Commission’s results; most of the material will be summaries of completed cases and EAF projects. The emphasis is on ‘results’ rather than ‘successes’ with a view of displaying what we do and how we do it completed in early 2014.

Action: The Board

- a) **discussed** the Chief Executive's report for October 2013 and confirmed its intention to undertake a self-review for 2013-2014.

Moved M Barnett **Seconded** P Mudford **Carried**

13. **Operations Quarterly Report: 1 July to 30 September 2013**

The Board discussed the operations report for the first quarter, July to September 2013.

The Commission received 96 enquiries over the quarter and 82 enquiries were completed. The trend for the number of new enquiries received (27/month) continues downwards and the gap between the rate of new cases and the rate of completion continues to narrow. At 30 September 2013, there were 64 active access disputes, up slightly from 58 in Q4 last year, but the trend for the number of active dispute cases continues downward.

The number of active OIO cases has increased by 50% from last quarter. R Cullinane advised that the Commission is reviewing its internal processes and policies for managing OIO cases and approving recommendations from RFAs.

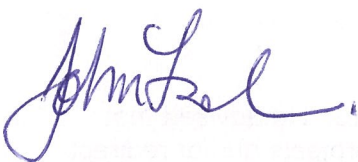
Action: The Board

- a) **noted** the operations and regional field advisor report for the period 1 July to 30 September 2013.

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

14. **Schedule of Significant Correspondence**

Action: The Board received the schedule of significant correspondence



J Forbes
Chairperson

Notes

- 1 In the morning of Monday 11 November the Board hosted a forum for representatives of local government and Department of Conservation and legal advisers to two district councils.
- 2 In the afternoon of Monday 11 November the Board hosted a forum of stakeholder organisations.