

**MINUTES**  
**NEW ZEALAND WALKING ACCESS COMMISSION MEETING**  
**1:00pm, 19 May 2014**  
**Kingsgate Hotel**  
**Greymouth**

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

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

**Opening Comments**

The Chair welcomed attendees and invited Peter Brown to open the meeting with a prayer.

**1. Apologies**

There were no apologies.

**Conflict of Interest Register**

M Barnett advised the meeting that he was consulting to the Southland District Council and, with respect to discussions regarding the Flagstaff Station Road – in the Operations report, Agenda item 11 - the Interests Register should be noted accordingly.

**Confirm Agenda**

The board confirmed the Agenda for the meeting.

**2. Confirm Minutes**

The Minutes of the Meeting held in Wellington on 24 March 2014 were circulated and read. There were no matters arising from the Minutes.

**Action:** The Board

- a) **confirmed** the minutes of the meeting of 24 March 2014 as being a true and correct record of the Meeting.

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

### 3. Risk management

The board reviewed the risk management register.

M Neeson reported that since the last review in February 2014, there are two new emerging risks - health and safety in employment responsibilities arising from a Bill introduced into Parliament in March, and business continuity. One risk had a negative change – volume and complexity of externally generated access related work. One emerging risk – drafting the 2014-2018 SOI and performance measures - had been removed as the project was completed.

The Chairman invited the board to consider whether the risks being reported by management were appropriate at the governance level. Board members considered several topics including business continuity, project management, legislative compliance, the Commission's effectiveness, and threats to the Commission's reputation. It asked that risk management reports include risks the board should be mindful of even if not included in a schematic form.

**Action:** The Board:

- a) **discussed** the risk report for May 2014;
- b) **identified and discussed** the risks which it believes should become the focus its governance attention;
- c) **noted** that a risk relating to leveraging funding has been deleted, and
- d) **noted** that the schedule of risks is being reviewed and a revised approach, and updated list, will be used for the August report.

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

### 4. Legislative Compliance

The board reviewed a report and checklist on statutory compliance as at April 2014. The compliance checklist sets out the key statutory requirements and compliance measures for significant legislation, as identified by the Commission, plus additional statutes that are pertinent to the Commission's operations.

M Neeson reported that the Commission's compliance practices continue to evolve and improve as it becomes more familiar with legislative requirements and as systems improve.

In response to a question from B Stephenson, M Neeson reported that the Commission had no borrowings and did not provide any guarantees or indemnities in the course of its operations.

The board asked that it be advised of any Official Information Act requests.

**Action:** The Board

- a) **approved** the 2014 legislative compliance review.

**Moved** P Brown                      **Seconded** P Mudford                      **Carried**

## 5. **Recognising contributions to walking access**

The board discussed a paper on recognising significant contributions by people and organisations to enhancing walking access in New Zealand. The inaugural awards were made in September 2013 and are a signal to stakeholders that the Commission values their work, enthusiasm and leadership.

The board discussed two other proposals to recognise outstanding contributions to access. The first was how best to recognise the contributions of the late John Aspinall, and his family. The second proposal was whether to create an award (scholarship, prize) for tertiary students to raise awareness of a niche access-related topic.

B Stephenson tabled a framework for a scholarship recognising the Aspinall family and which reflected discussions that he and other board members had with the Aspinall family. The board felt that the proposal had considerable merit. It requested that a more detailed paper for a scholarship, including a marketing plan, be brought to the August Board meeting for further consideration.

**Action:** The Board

- a) **agreed** to award certificates to recognise the leadership, achievements and contributions of people and organisations who have or are working to enhance and strengthen walking access heritage;
- b) **agreed** that the award include contributions from individuals, community organisations and central / local government;
- c) **agreed** to invite public nominations and for recipients to be chosen by the board in August with awards given at the 2014 national stakeholder forum;
- d) **agreed** that the Minister for Primary Industries be invited to award the certificates at the 2014 national stakeholder forum, and
- e) **requested** a paper for the August 2014 meeting on a scholarship recognising the contributions of the Aspinall family to access in New Zealand.

**Moved** M Bayfield                      **Seconded** M Barnett                      **Carried**

## 6. Both Sides of the Fence

The board considered a paper reporting on the findings of a survey, and subsequent review, of the Both Sides of the Fence website. Both Sides of the Fence (BSF) is a key element of the Commission's broader Outdoor Access Public Education Programme. The review was undertaken in March and April 2014 by Lift Education. Respondents were positive about the user experience provided by the BSF website. There was good support for additional animated video scenarios, particularly those focused on access to the coast and waterways, and those with a Maori or "Kiwi" flavour. Other changes recommended by the review are about enhancing the look, overall appearance and functionality of the site. The survey results will initiate technical changes to the website quarter (May-June 2014) and throughout 2014-2015.

A parallel project has the objective of finding partners to help promote and fund Commission projects. In this respect, BSF probably has the most immediate potential.

**Action:** The Board

- a) **noted** the findings of the survey and review of the Both Sides of the Fence website, and
- b) **noted** that the review is being used to make changes to the site in the fourth quarter of 2013-2014 and throughout 2014-2015.

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

## 7. Overseas Investment Act (OIA) processes

The board discussed a paper concerning a review of the way the Commission manages Overseas Investment Act (OIA) access cases. There were 29 active OIO (Overseas Investment Office) cases at the end of June 2013 rising to 44 at the end of September 2013, 45 at the end of December 2013 and 63 cases as at 31 March 2014.

The review identified the need for a structured process by the Commission for managing OIA cases and an auditable decision making process was developed. The Commission's modus operandi is to be transparent and meticulous in its relationships with the OIO and potential purchasers.

The board discussed the decision making process and implications. It noted that walkways are one of the most likely options for securing access which raises topics around the need to secure a controlling authority and survey costs. It considered whether other forms of legal access might be useful. The board agreed to consider matters of this nature at a future workshop.

**Action:** The Board

- a) **noted** the outcome of a review of internal processes for managing Overseas Investment Act cases.

**Moved** M Bayfield      **Seconded** M Barnett      **Carried**

## 8. Enhanced Access Fund (EAF)

The board discussed a paper summarising the status of all approved EAF projects. There have been 62 approved EAF projects amounting to \$795,465 including GST (\$696,342 excluding GST) against which the Commission has paid a total of \$509,791 (excluding GST) as at 31 March 2014. The four annual rounds calling for grant applications since 2010 had resulted in 158 applications amounting to requests for assistance totalling \$4,448,953.

Requests for applications for the 2014-2015 EAF funding round are being held in four tranches – with tranche 1 open from 1 April to 31 May 2014.

M Barnett requested that management ensure that tracks created with EAF funding be subject to a standard. P Mudford suggested that, if approved grants are taking too long to commence, termination should be considered along with a suggestion for re-application in a future EAF round.

M Neeson commented on the rising costs for surveying and the board agreed that it may be appropriate, in certain situations, for surveying costs in support of easements and walkways being funded from the Enhanced Access Fund.

### **Action:** The Board

- a) **noted** that there have been 62 approved grant applications to date, against which the EAF has paid a total of \$509,791 (excluding GST) as at 31 March 2014;
- b) **noted** the grants active as at 30 April, and
- c) **noted** that the 2014 EAF funding round is currently in progress and recommendations for round one will be presented to the August Board Meeting.

**Moved** P Mudford      **Seconded** B Stephenson      **Carried**

## 9. Third Quarter report

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

M Neeson advised that one performance measure in the 2013-2016 Statement of Intent – the number of access enquires / cases yet to be closed (based on current resourcing) – was at 31 March 2014 considerably higher than the target of 80 cases. This would be a focus of management attention for the remaining quarter, but that the target will most likely not be achieved. P Mudford noted that this was a new measure in 2013-2016 and that this may account for some explanation as to the variance, together with the high workloads experienced by Commission staff during the year.

M Bayfield noted that the number of stakeholder meetings was running below the target, and M Neeson responded that Regional Field Advisers were being encouraged to be more active in that area.

**Action:** The Board

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

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

## 10. Chief executive's report

The board discussed the chief executive's report. The Minister had advised that he no comments on either the draft 2014-2018 Statement of Intent or Statement of Performance Expectations. Both documents were released on 16 May.

The board's views were sought on the use of electronic devices for board papers. The board discussed the matter and the consensus was to advance the investigations for consideration at a future board meeting.

The board agreed to amend the date for the August meeting, to be held in Palmerston North, to 4 August 2014. Board members agreed that a single forum for local / district councils and stakeholders / recreational / other interest groups be trialled at this meeting.

**Action:** The Board

- a) **agreed** that the 2014-2018 Statement of Intent and Statement of Performance Expectations be finalised, and that John Forbes and M Bayfield sign each document on behalf of the board, and
- b) **discussed** the Chief Executive's report for May 2014.

**Moved** M Barnett **Seconded** M Bayfield **Carried**

## 11. Operations quarterly report: 1 January to 31 March 2014

The board discussed the Operations report for the quarter ended 31 March 2014.

R Cullinane reported that the Commission received 117 enquiries in Q3 (105 enquiries last Quarter) and completed 64. As at 31 March there were 48 active access disputes down from 50 in Q2 and 64 in Q1. The trend for the number of active dispute cases continues downward. However, the number of active OIO cases continues to increase with 15 new cases this quarter bringing the total to 63.

The WAMS website was down on two occasions and no major disruptions were reported from the public.

The board discussed five representative cases which raised matters of principle, processes and resources (mainly time). The board recommended that where appropriate, and after assessing the legal and factual basis of a case, the Commission should be assertive and, if required, escalate the process in a timely manner.

**Action:** The Board

- a) **noted** the operations quarterly report for the period 1 January to 31 March 2014;

- b) **noted** that, as discussed under Agenda item 9 - Third Quarter Report, the Statement of Intent sub-output of 80 open enquiries / cases will not be achieved, and that the Operations Manager is reviewing all open cases and that the deviation will need to be explained in the annual report;
- c) **noted** that resources are increasingly being consumed by Overseas Investment Act applications, and that the delays in resolving them present increasing risks to the Commission's reputation and capacity to manage other work, and
- d) **discussed** identified cases and their implications for the Commission's work.

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

## 12. Schedule of Significant Correspondence

M Neeson reported that the Commission had received a whole of government directive regarding procurement and property and that this will require disclosure in the 2013-2014 Annual Report.

**Action:** The Board noted the schedule of significant correspondence.

## 13. Other Business

Chief Executive's performance review process (*in camera* session held at 1:00pm)

At the Chair's request, M Neeson, R Cullinane and D Knott did not attend the meeting for this item.

**Action:** The Board

- a) **agreed** that a Chief Executive performance review committee comprising the Chair and board members M Bayfield and P Mudford undertake a performance review of the chief executive and report back to the board.

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

The Chair invited Peter Brown to conclude the meeting with a prayer.

**Meeting closed 3:25pm**



J Forbes  
Chairperson

## Notes

- 1 In the morning of Monday 19 May, the Board hosted a forum for representatives of local government and the Department of Conservation
- 2 In the afternoon of Monday 19 May, the Board hosted a forum for representatives of local government, interested parties and recreational groups.
- 3 In the morning of Monday 19 May, the Board held a workshop to discuss agenda items.