

MINUTES

NEW ZEALAND WALKING ACCESS COMMISSION MEETING

21-22 June 2009, Turnbull House, Wellington

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

In attendance:

Hunter Donaldson; Bruce Lynch.

1.1 Opening Comments

The Chair opened the meeting at 9.50 am and welcomed attendees. A karakia was given by 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 Confirm Minutes

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

Moved (J Forbes/ M Bayfield)

The motion was put: carried

1.5 Matters Arising

Output Agreement

An Output Agreement is required annually for each financial year from 1 July to 30 June. A copy of the Output Agreement for the 09/10 financial year was circulated and discussed.

Liabilities and Indemnities

Noted that B Hayes has provided a first draft on the possible content of easements or leases the Commission may enter into from the perspective of indemnification to the grantor. A copy will be circulated once it has been revised.

Following the receipt of Mr Hayes' advice a letter is to be sent to the Waitakere City Council noting that the Board is not underwriting any potential losses that may occur on Mrs Bethell's land and asking that the issue of liability be clarified with Mrs Bethell.

CEO Appointment

M Neeson has been appointed to the position. He takes up on 13 July 2009.

The Board

- a. **noted** that if part of the remuneration package is service related then the Board needs to determine the KPIs (key performance indicators) required; and that these should link to the Output Agreement.
- b. **noted** that the Commission needs to consider insurance against sick leave for staff and public liability insurance.

Treaty Settlements

The Commission noted that it needs to engage (as part of the wider Crown) with the Office of Treaty Settlements in respect of walking access opportunities. It noted that there is a trend towards co-management as a settlement mechanism.

Whether the Commission has to register walkways will depend upon the terms of each agreement.

Moved that the Commission note its role and interests with the Office of Treaty Settlements

Moved (B Stephenson/J Forbes)

The motion was put: carried

2.1 Financial Report

The financial year ends on 30 June 2009. The next quarterly report as at 30 June 2009, then the financial report for 08/09 will successively fall due.

A copy of the claims form will be forwarded to Members to assist and remind them to claim any expenses incurred on Board activities to 30 June 2009.

The accounts and the financial position of the Commission as at 31 May 2009 were presented. As pages 2 and 4 were not copied into each Board package it was agreed that accepting the accounts would be deferred until copies had been distributed.

2.2 Contestable Fund

Members agreed that reviewing proposals twice a year gives greater opportunities to prioritise and to conduct funding; that the provision of facilities (such as toilets and car parks) is likely to have a significant impact in helping determine whether landholders will give permission, therefore this needs to be included in the criteria; that an application form needs to be developed, and that initially the full Board needs to be involved in decisions about funding so that they can develop a feel for it. If the workload grows then a subcommittee can be considered in the future.

The Board

- a. **noted** that the Commission has the function of administering a contestable fund under Section 10 (1) (h) of the New Zealand Walking Access Act 2008.
- b. **noted** that the fund is to be financed initially from budgeted surpluses in the 2008/09 and 2009/10 years and that if the capital and accumulated interest is

amortised over the next 8 years then about \$200,000 per annum may be able to be allocated from the 2010/11 financial year.

- c. **agreed** in principle to the contestable fund with the amendments as given
- d. **agreed** that the fund should be established in a separate bank account from 1 July 2009, with a first allocation in March 2010
- e. **agreed** that the first allocations from the contestable fund will be made by the full Board and that any changes to this process will be determined once the first allocations have occurred.

Moved (M Bayfield/B Stephenson)

The motion was put: carried

2.3 Mapping

The Board was updated on progress towards the selection of a tenderer. Ten proposals were received from a range of individual organisations and consortia. A review group of Tony Bevin, Hunter Donaldson and Andrew Clouston from Land Information NZ have been reviewing the proposals and developing a short-list.

Concern was expressed about the quality of the technical knowledge related to the data. H Donaldson explained that the delivery mechanisms were well understood by all of the submitters; that the review group had put a lot of emphasis on understanding the limitations of the data, and that the top five submitters had all spent considerable time on the data. Notwithstanding this the Commission needs to be clear about what the project is intended to achieve (and not set sights too high). The wording of a disclaimer with respect to the data accuracy, therefore, is important, amongst other things.

In addition to the data risk, two further risks were discussed. The first is the importance of project management during the development phase and the second is the risk of overselling the product and raising unreal expectations as to what the project will immediately or quickly provide. The first risk is overcome through the contract management of the project and the second by communications.

P Brown noted that the Maori Land Court is developing a GIS system and that the National CEO of the Court has previous experience in developing a system and may be able to provide advice.

The timetable previously agreed to by the Board (and advised in the RFP) was to complete the evaluation by 3 July and to sign an agreement by 10 July. Given the above risks the decision will be made by the full Board on the recommendation of the subcommittee.

The Board

- a. **noted** that ten proposals were received in reply to the Commission's RFP for a Public Access Mapping System
- b. **noted** that a technical review of the proposals received is being carried out and that this is resulting in a shortlist of tenderers

- c. **noted** that a meeting of the selection subcommittee will now be arranged
- d. **agreed** that the sub-committee should determine whether further advice or a peer review of the short listed proposals is required.

Moved (M Bayfield/K Booth)

The motion was put: carried

2.4 Communications Strategy

The draft Communications Strategy was discussed and amendments provided. The Board

agreed that in recognition of the Treaty of Waitangi the Commission provide the website and the Outdoor Access Code in Maori and that the Commission should now seek cost estimates to undertake this work.

Moved (John Forbes/M Bayfield)

The motion was put: carried

The Board

- a. **noted** that a design organisation has been contracted to develop a total communications package for the Commission
- b. **agreed** that the Commission should also have a Maori name and that the Maori Language Commission should be consulted on the proposal made by P Brown
- c. **agreed** that it should appoint a national Kaumatua
- d. **noted** that the draft communications strategy is a work in progress.

Moved (M Bayfield/B Stephenson)

The motion was put: carried

2.5 Correspondence

The correspondence was received.

Moved (John Forbes/M Bayfield)

The motion was put: carried

2.7 Policy Reviews - Updates

The Board discussed the two actions that are being carried out with respect to the Overseas Investment Act. :

1. Past approaches: Ryton Station has not yet been addressed. There could be an issue with a Northland proposal as to who would be the controlling authority if DOC and the local authority do not wish to undertake this role.

2. The Commission has received its first notification of a new application for Tui Station. It was agreed that the Commission should recommend to the Overseas Investment Office that there should also be an esplanade strip on Deep Creek.

The Crown Pastoral leases review by C Mulcock is continuing. C Mulcock is to prepare a draft schedule by 30 June.

The Board

- a. **noted** the progress on the Overseas Investment Act review and the Crown Pastoral leases review

2.8 Office Accommodation

The Board

- a. **noted** the proposal for Revera house
- b. **agreed** that the Chairman will check the site with the CEO on Wednesday 24 June and that the Chairman will then finalise the accommodation including whether the car park is to be retained.

(Note that the Chairman, B Stephenson, and B Stuart visited the site following the meeting on 23 June and that the Chairman has agreed to lease the accommodation as proposed.)

3.1 National Strategy

The Board discussed the draft in depth and made some changes. The draft national strategy on walking access, as amended, is to be circulated on 30 June to major stakeholders for their consideration and input to the next Board meeting of 30 July. The process to be followed is

- Copy of the draft national strategy on walking access, as amended, is to be forwarded to major stakeholders on 30 June, together with a cover letter and a copy of the agenda for the meeting
- Major stakeholders have been invited to join the 30 July meeting from 10.00 am - 1.00 pm followed by lunch
- The agenda will be
 - Welcome by the Chairman
 - Introduce the new CEO
 - Discuss the draft national strategy on walking access (5 minutes per major stakeholder to present any major items), followed by general discussion on the draft
 - Discuss the draft Outdoor Access Code (5 minutes per major stakeholder to present any major items), followed by general discussion on the draft
 - Any other issues that the major stakeholders wish to raise.

The Board

- a. **noted** the revised draft national strategy on walking access

- b. **noted** that the draft may still be revised for any further changes advised, for a Maori name, or to implement the design package for the Commission if this is agreed to before 30 June 2009
- c. **agree** that the draft national strategy on walking access, as amended, may now be circulated to major stakeholders for their consideration.

Moved (P Brown/J Aspinall)

The motion was put: carried

4.1 Outdoor Access Code

The Board discussed the draft Code and the Background to the Code in depth and made some changes.

The Board

- a. **noted** that the extension of the draft Outdoor Access Code to cover such areas as private land, public land, walkways, fires and other liabilities, and unformed legal roads, to provide the same educational value as the draft shows for Maori land, will be added later
- b. **agreed** that the draft Outdoor Access Code, as amended, may now be circulated to major stakeholders for their consideration

The meeting closed at 17.30 pm

23 June 2009

Governance Training

G Nahkies joined the meeting as the facilitator for this session.

Following the presentation the Board agreed that the Agenda for future meetings should be extended to include

- The Interest Register as a standing item
- A short review at the end of each meeting day
- A slot for a policy issue.

The application made in March 2009 requesting that the Commission be registered as a Charity is to be followed up.

The meeting closed at 12.30 pm.

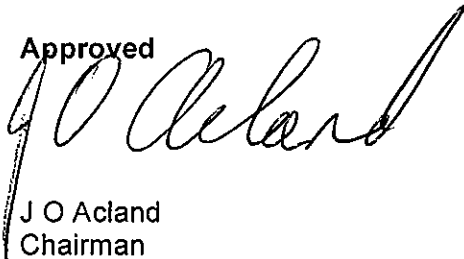
The next meeting is on 30 – 31 July at Turnbull House, Wellington. (Major stakeholders are being invited to attend the meeting on 30 July)

Subsequent meetings are

24/08/09	Wellington
28/09/09	Wellington
18-20/10/09	Nelson (Accommodation and agenda to be arranged)
23/11/09	Wellington

It was also agreed that the March 2010 meeting would be held at Te Kaha.

Approved



J O Acland
Chairman
30/07/09