



OIA20-0189

18 MAY 2020

John Luke  
fyi-request-12604-56f30289@requests.fyi.org.nz

Dear John Luke

### OFFICIAL INFORMATION ACT REQUEST

Thank you for your email of 18 April 2020 relating to the Land Access Ministerial Reference Group (the Reference Group). Your request has been considered under the Official Information Act 1982 (OIA).

You specifically requested:

*[information on] the people who sat on the Land Access Ministerial Reference Group and their bios, term of appointment and if there was any terms of reference for this committee, and how much they were paid for each meeting and if their costs (e.g. travel) had been reimbursed.*

As you may be aware, the Reference Group was established by Hon Jim Sutton, Minister for Rural Affairs, in January 2003 to clarify and enhance the legal situation pertaining to public access over private land, to the foreshore of lakes and the sea, and along rivers. The Reference Group submitted a report on walking access in the New Zealand outdoors in August of that year. This report can be accessed via the following link:

[www.walkingaccess.govt.nz/assets/Publication/Files/8a00946768/walking-access-in-the-nz-outdoors.pdf](http://www.walkingaccess.govt.nz/assets/Publication/Files/8a00946768/walking-access-in-the-nz-outdoors.pdf).

Appendix One (pages 104 – 106) of this report contains the Terms of Reference for the group.

The members of the Reference Group were as follows (see: [www.beehive.govt.nz/release/minister-launches-land-access-reference-group](http://www.beehive.govt.nz/release/minister-launches-land-access-reference-group)):

Mr John Acland (Chair) – Mr Acland had a long association with the primary sector through holding office in Meat New Zealand, Federated Farmers and successful farming and adventure tourism enterprises.

Ms Sally Millar – Ms Millar had a wide range of experience in the agricultural and horticultural sectors. She had also been involved on the Reference Group for Biodiversity on Private Land and was working as an environmental consultant in 2003.

**Policy & Trade**  
**Land, Water & Climate Policy**  
Charles Fergusson Building, 34-38 Bowen Street  
Wellington 6011, New Zealand

Ms Penny Mudford – As you have mentioned in your request, in 2003 Ms Mudford was chief executive of Arbitrators' and Mediators' Institute of New Zealand, director of the New Zealand International Arbitration Centre Limited, and was well recognised for her dispute resolution experience, both in commercial and community settings. She had been an active member of the farming community.

Ms Clare Mulcock – Ms Mulcock had a policy background, focussing on agriculture in the South Island high country and environmental issues. She was involved in the establishment of the Rural Futures Group Ltd and had strong personal connections with the rural community. Ms Mulcock was working as a resource management consultant in 2003.

Mr Gottlieb Braun-Elwart – Mr Braun-Elwart was a professional mountain guide.

Mr Bob Cottrell – Mr Cottrell, of Ngāti Kahungunu, Ngāti Raukawa and Ngāti Awa iwi, was a retired farmer who had been heavily involved with various Māori trusts and in particular Te Awahohonu Forest and Tarawera Station. He brought a central North Island perspective and experience as chairman of the Taupō Land Care group.

Mr Edward Ellison – Mr Ellison, of Ngāi Tahu and Te Atiawa decent, was a farmer on the Otago Peninsula. He had represented Māori interests on a number of committees and trusts including the Otago University Council, the Otago Regional Council, the Otago Conservation Board and the New Zealand Conservation Authority.

Mr Brian Hayes – Mr Hayes had an extensive background in land law, including as a former Registrar-General of Land. In 2003 Mr Hayes was assisting Land Information New Zealand to amend the Land Transfer Act for the first phase of Landonline.

Mr Simon Kennett – Mr Kennett was a keen mountain-biker and tramper, and had co-authored a guide to mountain-biking routes in New Zealand. He had previously worked closely with landowners on access. Mr Kennett was a member of the NZ Mountain Biking Association, organising a number of mountain-biking events.

Mr Kevin Prime – Mr Prime, of Ngāti Hine decent, was highly regarded for his conservation and environmental work, as well as social development of Māori. Mr Prime had worked on advisory groups including the 'Biowhat' project and Ngā Whenua Rāhui.

Mr Eric Roy – Mr Roy was a National MP for nine years prior to his appointment to the Reference Group. As well as being familiar with parliamentary processes, he brought a keen perspective of the primary production sector and recreation (especially angling and access to waterways).

The Ministry for Primary Industries (MPI) is refusing your request for information on the Reference Group's term of appointment, remuneration, and whether the members' costs were reimbursed, pursuant to section 18(e) of the OIA as the information cannot be found despite reasonable efforts to locate it. This is because as a result of COVID-19, we have been unable to access our archived historical paper records, and are therefore unable to undertake a search for any existing information on these matters.

You are welcome to submit a request for this information again at a later date. Please contact us at [Official.InformationAct@mpi.govt.nz](mailto:Official.InformationAct@mpi.govt.nz) and we will then be able to conduct a proper search of our records.

You have the right under section 28(3) of the OIA to seek an investigation and review by the Ombudsman of this response and our decision to refuse information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kay Baxter', written in a cursive style.

Kay Baxter  
**Acting Director Land, Water & Climate Policy**