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Kia ora and welcome to the July issue of the SupportAdventure newsletter.

MBIE Review of Adventure Activities

Recreation Aotearoa and Tourism Industry Aotearoa (TIA) have been contributing to MBIE's Expert Reference Group (ERG) and attending a series of workshops. You can view the makeup and kaupapa of the [ERG here](#).

At each workshop, MBIE has submitted a series of 'issue-papers' on topics such as Natural Hazard risk; the role of the Regulator (WorkSafe); Matauranga Māori in natural hazards; the audit and guidance system; public transparency & evaluation; and funding. After being subject to a process of critique and shaping, these issue papers will be rolled up in to a discussion document which MBIE will release as part of its public consultation process in the coming weeks. We encourage everyone involved in the Outdoor Adventure sector to submit to that public consultation process.

It is probably true that MBIE and WorkSafe would have undertaken a review of the adventure activity regime at some point in the next few years, but the Whakaari/White Island tragedy has brought it forward. It is absolutely true that the coming months will provide the sector with a very rare chance to influence the regime by which it is regulated.

As soon as public consultation commences, we will let you know. It is really important that organisations and individuals take the time to submit their perspectives to MBIE, before any final decisions are made.

If you have any questions about the document or submission process, please contact Lori Keller at TIA (lori.keller@tia.org.nz) or Sam Newton, Advocacy Manager at Recreation Aotearoa (sam@nzrecreation.org.nz).

Disclose Risk, Don't Waive It

Update from AdventureMark

A common issue that has been raised during audits and by WorkSafe is how participants are made aware of the hazards and risks in the activity they have booked onto. The traditional terms we use for the sign-in sheet our participants use can be 'Waiver' or 'Liability Release' but with HSWA and ACC legislation, we can't really waive risk at all: Lots of operators still consider a 'waiver' or 'liability release' to be the way to go, but Section 28 of the HSWA says this:

No contracting out

A term of any agreement or contract that purports to exclude, limit, or modify the operation of this Act, or any duty owed under this Act, or to transfer to another person any duty owed under this Act—

(a) has no effect to the extent that it does so; but

(b) is not an illegal contract under subpart 5 of Part 2 of the Contract and Commercial Law Act 2017.

The Safety Audit Standard (a document all commercial adventure activity providers should be conversant with and need to comply with) requires: "The operator must have procedures for risk disclosure between the operator and participant, and subsequent acknowledgement". In other words, you have to tell your clients what risks they can expect to encounter and have them acknowledge that risk.

Using a clear, concise "Risk Disclosure Form" would be a better way to meet requirements. This can be a two-way form as you can disclose the reasonably foreseeable risks in the activity and also use the form to identify risks presented by the participants, such as medical and physical conditions, etc. It's important that the risk disclosure, required by the Standard, isn't diluted or lost in a long wordy 'waiver' that section 28 of the HSWA says: "has no effect to the extent that it does so".

When you review your waiver/liability release/risk disclosure ask yourself: If a WorkSafe investigator asked your client "What were you given and asked to sign before the activity?" would they say that they were informed of the likely risks or would they say it was a generic form to "sign their life away"?

Tourism Summit Aotearoa 2021

Tourism Summit Aotearoa, a key annual event hosted by Tourism Industry Aotearoa, is heading to Kirikiriroa Hamilton for the first time. The Summit is centred around the theme of *Kōkiri – Go forth!* and is being held on 1 September at Claudelands Events Centre.

Attendees will hear from industry and government leaders and will join discussions on the most important issues facing the industry. The event promises lively sessions, international viewpoints

and inspirational speakers throughout the day. The event will then conclude with the prestigious New Zealand Tourism Awards dinner.



Visa & Infrastructure Announcement Welcome News

Many tourism employers around New Zealand and their highly valued employees on work visas will be delighted and relieved by the announcement extending Essential Skills Visas.

Immigration Minister Kris Faafoi has announced that **two-year Essential Skills visas have been made available**. For someone already in a fulltime role and wishing to stay with that employer, the application process will be greatly simplified. A work visa holder can also move to a new employer if a Labour Market test shows there are no suitable New Zealanders available for that role.

TIA also welcomes the Government's support for local council infrastructure projects, with **Tourism Minister Stuart Nash's announcement** of the latest Tourism Infrastructure Fund recipients.

Sustainable Tourism Pilot Programme Launched

Tourism Industry Aotearoa has been appointed by WellingtonNZ as the provider of the Sustainable Tourism pilot programme. This pilot programme is designed to make it easier for selected Wellington tourism businesses to embark on a successful journey towards a sustainable future.

The programme gives the TIA sustainability team the opportunity to work intensively with selected businesses as they work toward leading the world in sustainable tourism. **Find out more about the Wellington Sustainable Tourism programme.**



Advocacy in the Regions

TIA Industry Advocate, Lori Keller and her colleague Di Reid, are visiting the regions over the next few months. The goal is to get better intelligence on regional diversity as it relates to recovery, workforce, and wellbeing. Keep an eye on the TIA member newsletter for upcoming visits, or [contact Lori and Di](#) directly to find out when they are planning a visit to your regions.

Update from NZOIA

NZOIA is reviewing all of their qualifications over a three year period. The NZOIA Mountain Bike 1, Rock, Climbing Wall, Bush, Kayak and Canoe qualifications have been through a team of technical experts and the Sea Kayak qualifications are near completion. Alpine, Cave and Canyon are up for review in the next 12 months. The review teams are selected to gain a balanced representation from the sector. If you would like to feed into this process send an email to admin@nzoi.org.nz.

There are currently 2329 registered NZOIA qualifications held. We have had a number of people re-register their NZOIA qualifications through our updated [Recognition of Current Competency](#) process, which allows those people with unregistered NZOIA qualifications to come back on board.

The NZOIA National Training Symposium is being held on the 14 -17 October at [Glen Tui Meadows](#) and hosted by [Adventure Specialties](#). This has been successfully running since 2012 and its purpose is continual professional development for our 'on-the-ground' leaders, instructors and guides.

Mountain Bike Trail Guidelines Review



Recreation Aotearoa invites you to provide feedback and comment on the [New Zealand Mountain Bike Trail and Design Construction Guidelines](#).

First released in July 2018, these guidelines have a three yearly review process to ensure

they remain current, accurate and fit for purpose.

If you are involved with managing, commissioning, specifying, building, maintaining or auditing mountain bike trails, we would welcome your feedback on the Guidelines, which will lead to the publication of Version Two.

Since 2018, two important things have happened in this space:

1. The New Zealand Cycle Trail Design Guide (version five) was updated in August 2019 (incorporating much of the Recreation Aotearoa mountain bike information)
2. DOC released their Cycle Tracks Service Standards in October 2020 (drawing on the specifications of both the Recreation Aotearoa Guidelines and NZCT Design Guide)

While it is not ideal to have three separate documents available for similar spaces, the three have different uses. The Recreation Aotearoa Guidelines are the only one focused solely on mountain bike specific trails.

While much of the crucial specification between the three documents is well-aligned (e.g., gradient, width, corner radius) the Recreation Aotearoa guideline provides additional and mountain bike specific specification (e.g., uphill/downhill trails, technical trail features, ramp angles etc).

Recreation Aotearoa welcomes your feedback on this review. Please use the following format for feedback and send to Jen Riley at outdoors@nzrecreation.org.nz before 15 August.

An example is provided below:

Specification	Comments	Suggestion
Trail Surface	Grade 3 Intermediate does not specify an obstacle height	Add in a comment such as: '.....where the trail surface is broken by rock, roots, scree or other obstacles less than 100mm high'

Outdoor Activity Fund Recipients

Recently Recreation Aotearoa announced the eight recipients of the latest **Outdoor Activity Fund** round.

The purpose of the fund is to enhance diversity and inclusion in outdoor recreation, and to connect people with their culture through the outdoors. This is the fourth round of the fund and is one of parity between Māori and non-Māori, that is, Tangata Whenua and Tangata Te Tiriti.

Congratulations to the following projects:

- **Graeme Dingle Foundation** - Wilderness Adventure, a three week outdoor/wilderness programme aimed toward at-risk rangatahi in Tāmaki Makaurau. Delivered in partnership with Hillary Outdoors.
- **Hawaiki Kura** - Hawaiki Ora, a wānanga targeted at tangata Māori promoting wellbeing and activity through connection with Māori and te taiao.
- **Wilderness Canoe Trust** - Provision of accessible and free and canoe journeys for children, young adults, and adults with a disability or special needs.
- **Matipo School** - Povision and subsidy of the Matipo Primary School Outdoor Education schools camps.
- **Owhango Adventures** - To develop and qualify Māori tour guides on the Whanganui River.

- **Sir Peter Blake Trust (BLAKE)** - A three day, two night experience for year 7 and 8 students to explore and understand the marine environment.
- **Waitomo Caves Musuem** - Provision of outdoor adventure activities and learning for local Waitomo schools.
- **Te Kōpuku High** - Delievery of a water safety and surfing programme for year 9 and 10 students through a Tikanga Māori lens.

Recreation Aotearoa will be following each of the projects closely and sharing their learnings through a series of short films in the coming months.

Apply for the 2021 Outdoor Awards



Recreation Aotearoa are pleased to announce that the 2021 Outdoor Awards are open for application. The Awards celebrate individuals and organisations that have been successful in significantly improving outdoor recreation outcomes for participants and clients.

The four categories are:

- Te Tohu - Whaiao Māori (Māori Outcomes Award)
- Te Tohu - Tiakina Taiao (Environmental Leadership Award)
- Te Tohu - Whakaaweawe Kaupapa (Outstanding Event/Programme Award)
- Te Tohu - Manu kura (Supreme Award)

To find out more about each category and how to apply, visit the **Recreation Aotearoa Awards website**. Applications close **Friday 10 September 2021**. If you have any questions please email **outdoors@nzrecreation.org.nz**.

The awards will be presented on Thursday 18 November 2021 in Blenheim, alongside the Recreation Awards.

Wishing everyone all the best.
Let's stay connected with nature and with each other!

He waka eke noa. We are all in this together.

Take care, stay safe
Lori, Jen, and Sam

Lori Keller, Industry Advocate, TIA
Jen Riley, Outdoors Programme Manager, Recreation Aotearoa
Sam Newton, Advocacy Manager, Recreation Aotearoa

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