

An aerial photograph of the Marlborough Sounds coastline in New Zealand, showing rugged mountains and deep fjords. The text is overlaid on the top half of the image.

Sustainable Seas Annual Meeting

Improving how people's values are included
and considered in marine decision-making:
Insights from the Marlborough Sounds

Jim Sinner & Charlotte Šunde

2-3 May 2017, Wellington

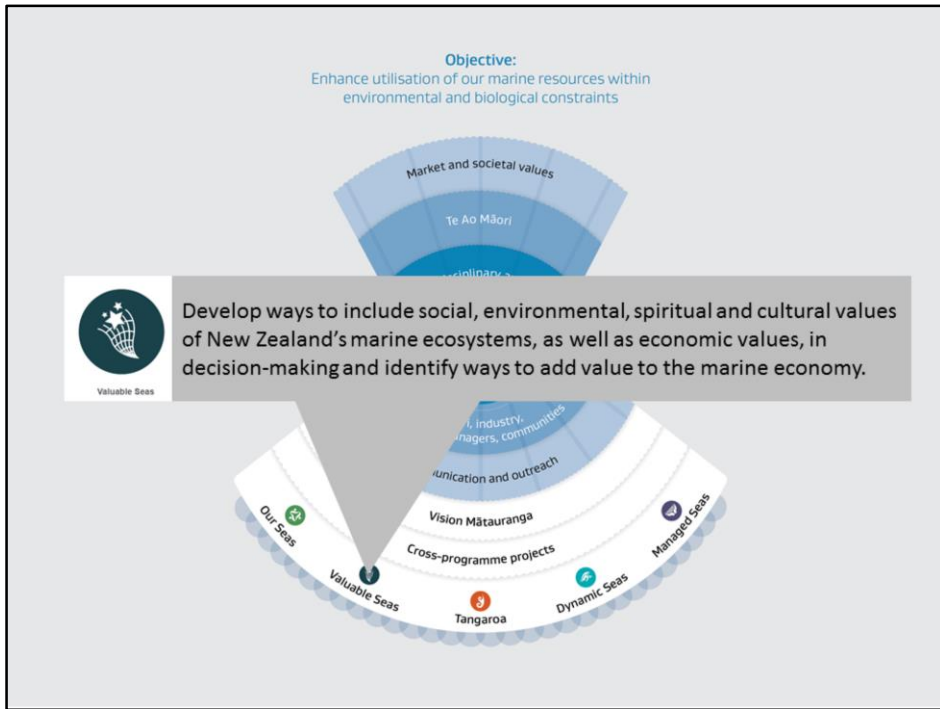


Research team

Jim Sinner, Cawthron Institute
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Janet Stephenson, Univ of Otago
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Marc Tadaki, Univ of British Columbia
Kevin St Martin, Rutgers University

with:

Harvey Ruru, Te Ātiawa
Aneika Young, Cawthron &
Tiakina te Taiao



Highlight words in graphic:

“Develop ways to include social, environmental, spiritual and cultural values of NZ’s marine ecosystems, as well as economic values, in decision-making...”

Introduction

- Aim – to improve consideration of diverse values in statutory decisions
- Not a completely new framework
 - Principles for use of existing frameworks
- First step – understanding existing practice
- Case study – experiences in Marl Sounds

Original project aim – to develop frameworks and principles for the consideration of diverse values in statutory decisions about the marine environment.

Not trying to develop a completely new framework – some major international efforts undertaken in the past decade to do that, with dozens of researchers and millions of dollars. We are trying to understand how these different frameworks might apply to NZ context, and what principles we could recommend to enable a fuller understanding of Nzers diverse values, to support EBM.

The first phase - understand how values are currently identified and considered in statutory decision-making about the marine environment.

Have started by talking to ‘values-holders’ in a case study area where a wide range of values have been contested under several different statutes – we chose the Marlborough Sounds –
Fisheries Act (blue cod; customary fisheries areas)
RMA (aquaculture and placement of salmon farms; fast ferries)
DOC (marine reserves; marine mammals)

Today we’re going to tell you about what we’ve heard from people in the Marl

Sounds about their experiences of trying to present and protect their values through statutory decision processes, and how we will then build on this to identify valuation frameworks and principles.

Hand over to Charlotte Šunde – who will tell you about a series of interviews that she did.

Interviews – with whom?

- 13 interviews from Dec 2016 to Jan 2017
- Interviews with:
 - **iwi** in Te Tau Ihu o te Waka a Maui
 - **industry**, including commercial fishing, aquaculture, and forestry
 - other sectors of the **community**, including recreational fishers, residents' association, environmental groups, and the Department of Conservation (DoC)

Interviews – what we asked

1. What makes the Marlborough Sounds an important place
2. Examples of applications/proposals
3. Concerns or arguments; types of evidence
4. Reflections on experiences
5. Māori involvement
6. Alternatives

Interviews – key findings

- People and values
- Legal framing, process and decision-making:
 - Process issues
 - Evidential issues
- Treaty of Waitangi provisions and post-Treaty settlement
- Alternatives – other processes

Quotes – process issues

“You shouldn’t have to stand up in front of a judge or have submitters standing up in front of lawyers... the RMA ... was set up to allow mum and dad to come and argue their case. And it’s been overtaken by lawyers; it’s gotten out of hand a bit... It’s created another industry, really.”

- Onerous amount of evidence
- Respond to information in short time frames
- Formality of the processes is intimidating
- Lawyers and cross-examination is intimidating
- Expensive (ELA funding)
- Emotional impact and stress

Quotes – process issues

“...if we didn’t have friendly lawyers who are working for us, retired and working for nothing, we wouldn’t be in the game – nobody would!”

- Onerous amount of evidence
- Respond to information in short time frames
- Formality of the processes is intimidating
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- Expensive (ELA funding)
- Emotional impact and stress

Quotes – evidential issues

“It’s almost like it’s a social exercise as much as determining the facts. It’s not just black and white like you would think ... the human and personalities came into it – almost certainly. ... Somehow, you’ve got to get to the facts, take the emotion out of it.”

- Legal arguments should be based on scientific facts, not emotions
- Need for a complete set of data – all sectors to contribute data
- Local knowledge accumulated over decades of direct first-hand experience
- Access to independent ‘public science’
- Weakening of democratic rights for communities
- Cumulative effects, including from land-based activities

Quotes – evidential issues

“The amenity issues—because that’s how it’s phrased in the RMA ... the reasons why we live or recreate here — the amenity issues never carry the same weight as economics or science... Getting that stuff down [on paper] is really hard and I don’t think it’s given enough credence, to be fair. But open to abuse, too, potentially.”

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- Need for a complete set of data – all sectors to contribute data
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Embedded in context

Three days, 22-24 March 2017

- Te Hora marae (Ngāti Kuia)
- Hikoi on Te Hoiere (Pelorus Sound) with tangata whenua
- Waikawa marae (Te Ātiawa)
- Workshop with stakeholders and iwi
- Team meeting

In planning a workshop with iwi and stakeholders to discuss what we heard in the interviews, we decided it would be appropriate to engage first with the tangata whenua, recognising that a workshop setting with a range of participants is not necessarily the best way to enable tangata whenua to share their experiences and concerns.

So, for the day prior to the workshop, we organised a hikoi, a journey, onto Pelorus Sound, led by Ngāti Kuia and with two other iwi, Ngāti Koata and Te Ātiawa.

Also joined for the three days by two international experts:

Kai Chan, Inst of Resources, Environment & Sustainability at UBC

Kevin St Martin, Department of Geography at Rutgers University, New Jersey USA



Started the day with a powhiri at Te Hora marae in Canvastown, at which Ngāti Kuia warmly welcomed us to their rohe.

Our hikoi took us from Havelock at the bottom of Pelorus Sound out to Waitata Reach, the site of two existing salmon farm consents and a proposed site for an additional salmon farm.

[click to show yellow oval around Marlborough Sounds, then click again to show route]



Te Hoiere (Pelorus Sound)

- Forestry & farming
- Holiday homes
- Mussel farms
- Salmon farms
- Tourism/navigation
- Wildlife
- DoC scenic and scientific reserves



Photo epitomises the multiple use environment of the Marlborough Sounds –

- Open water in foreground
- mussel farm and baches in centre
- bush, pine forest and pasture



Results of forestry operations visible in background



Seal in foreground on orange mussel buoy,

Salmon farm in centre,

Farmland in background showing bare patches.



Members of research team engaged with tangata whenua



Members of research team engaged with tangata whenua



And we sampled some of the local kai, which served to highlight not only the commercial value that is being produced in the Marlborough Sounds, but also the very strong connection that Māori have with kaimoana.

Shaun certainly enjoyed the mussels!



Following our hikoi, we travelled to Waikawa, next to Picton, where we were welcomed onto Waikawa marae by Te Ātiawa.

We learned about the history of the wharenui, which was unusual in having carvings of the eight major waka that brought Māori to Aotearoa, and representations of many other people from around NZ, including Captain James Cook.

For me, this highlighted that the history of Te Ātiawa and of this place has been shaped by both Māori and Pakeha and the interactions between these two peoples and cultures.

Stakeholder workshop



National
SCIENCE
Challenges

SUSTAINABLE
SEAS

Ko ngā iwi
whānau

The following day we had a workshop in Picton with 11 iwi, MS residents and stakeholder representatives, and 12 from the research team.

Next slide: workshop aim.

THE INCLUSION AND
CONSIDERATION OF
DIVERSE VALUES
IN DECISION-MAKING
~ MARINE ~ .

1. WHAT NEEDS TO
HAPPEN / CHANGE ?

2. HOW WILL YOU KNOW
THAT YOUR VALUES
HAVE BEEN
'INCLUDED' IN
DECISION-MAKING ?

HOW would you change
things ?
If I had control of
decision-making processes
I would ...

Workshop aim

Iwi, stakeholders and
researchers working together
to generate ideas ...

for improving consideration
of values in decision-making

National
SCIENCE
Challenges

SUSTAINABLE
SEAS

Ko ngā iwi
whānau

The workshop board features the following sticky notes:

- CONSIDER**
TOTHATA WHENUA
WENE + BERUENE
- Science used to assess
risk - community concerned
in thinking about what they
will lose
- Maps: connecting
town and concepts to
places
- Collaborative
process where
people can bring
their knowledge and
represent/negotiate
their own values
- RMA is not
a bad piece of
legislation...
- information input from
fisheries
- HEARINGS ON
MARAC
- commitment to
consult with iwi
has created value
and resilience to low
efficiency/pressure
- individual responses
to decision-making
process
- Community
value & passion
for their places
to live, work, play & pray
- CONSERVATION OF
SHORE & COASTAL
RESOURCES
- SEAS BEING
BELOW
DRAINING
- IMPACTS FROM
ON WATER
PRESSURE
- TRAITI O
WAIKANAHI
- critical for people to
through trust and knowledge
- People's responses to
change
- PASSION**
- Marine Mammal
Protection Act
clear rules, no
delays
- people with a
passion and knowledge
to raise concerns
& informants
- talking
mediation
- Recognising whānau
as partners

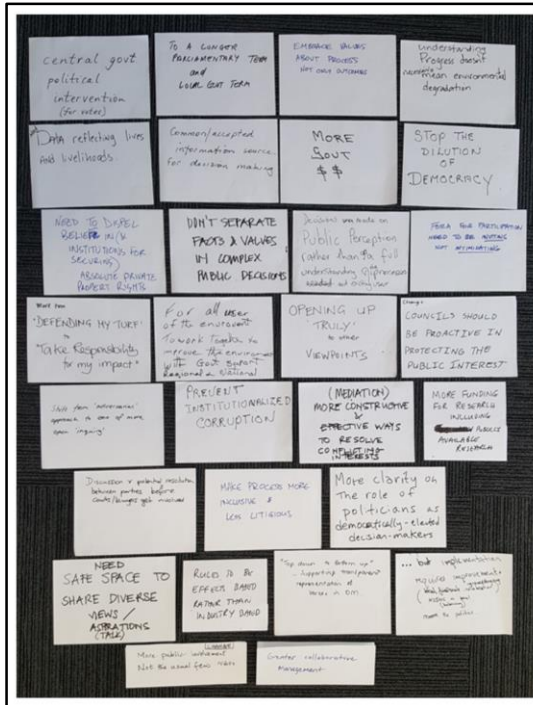
Workshop

1. What is working well to enable inclusion and consideration of people's values in decision-making?

National
SCIENCE
Challenges

**SUSTAINABLE
SEAS**

Ko ngā ika
whakaha



Workshop

2. What would you change to improve inclusion and consideration of people's values?

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No right means
workshop

Suggestions for improvement

- Politics and democracy
- Property rights and responsibilities
- Collaboration
- Information and data
- More open and inviting process

Examples under each of the themes

Politics and democracy

Set of guidelines to protect democracy and Treaty of Waitangi
Give rights to nature, e.g., Whanganui River

(Property) rights and responsibility

Align responsibilities with property rights (including customary rights)

Collaboration

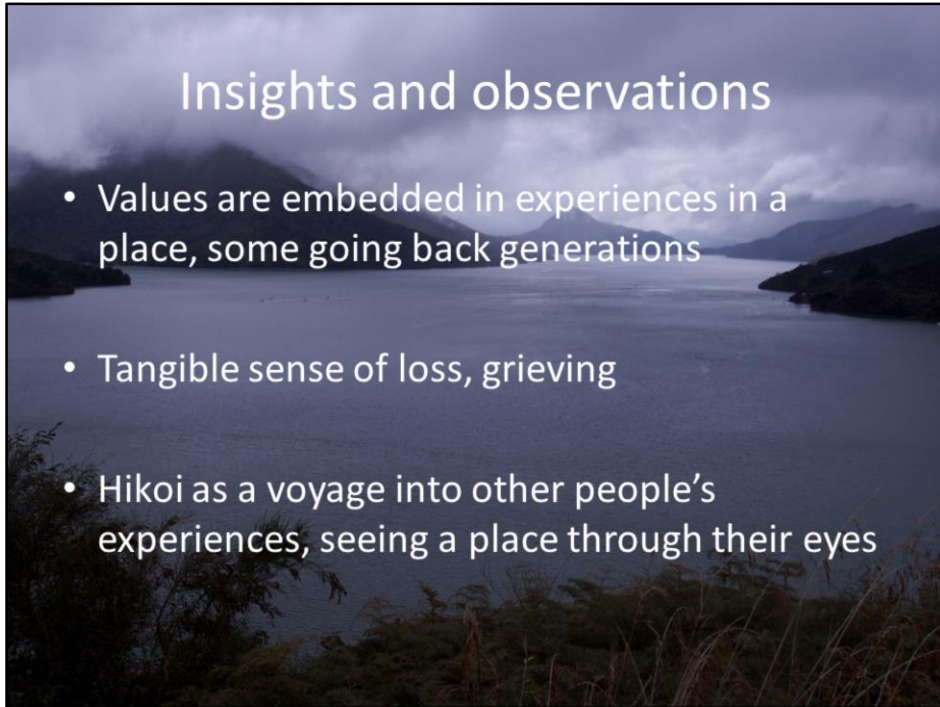
The results of collaboration must be reflected in the final decision

Information and data

Need shared/common source of authoritative information

More open and inviting process

“Friend of submitter” to help those unfamiliar with legal process



...from the interviews + the three days embedded in place with people of that place

Insights:



Insights and observations

- Disempowerment by colonisation, now by Wellington
- Desire by Marlborough Sounds residents to control their own destiny
- Decision processes seen as unfair, undemocratic

Insights and observations

- Desire for science in the public interest, not purchased by competing parties
- Desire for process in which people work together instead of adversarial combat that has high financial and emotional cost

Desire for science in the public interest, not purchased by competing parties

Insights and observations

What constitutes a 'better decision process'?

- based on 'objective science'?

- delivers EBM? ... how is that assessed?

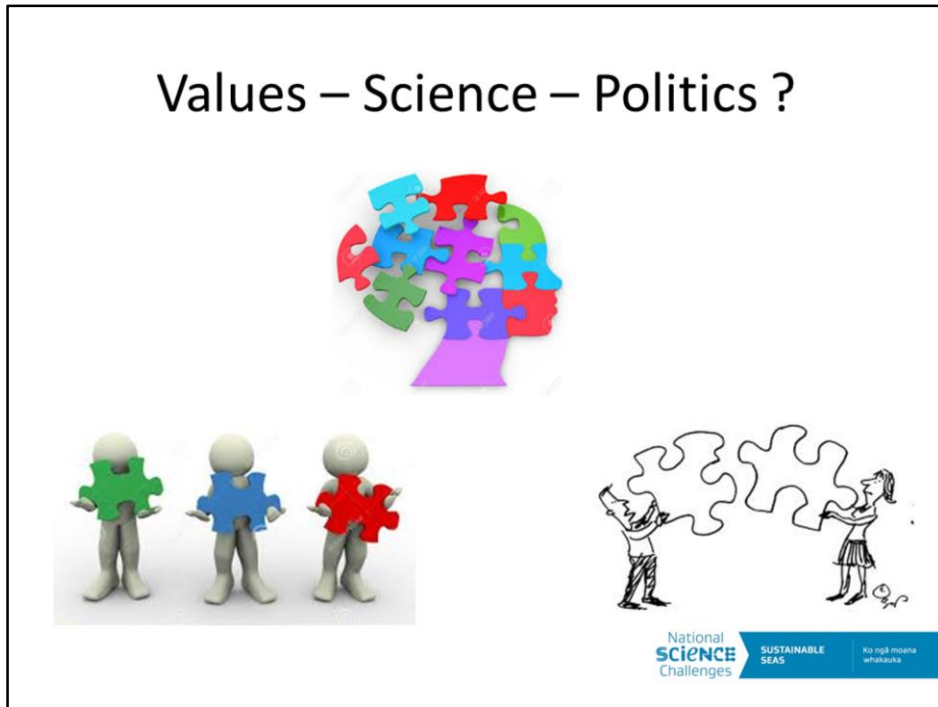


This all raises the question, what constitute a better decision process?

Is it based on 'objective science'?

Is it a decision that delivers Ecosystem Based Management? And if that is what we are after, how is that assessed? (and perhaps more importantly, by whom?)

Values – Science – Politics ?



As scientists we are taught to remove emotion and personal preferences and experience from our work, but can we really understand and acknowledge the values of people and place unless we open ourselves to their experiences and emotions?

Enduring sense from our work so far is that the problem is not so much what framework to use to identify and analyse values, but rather what are appropriate roles for grounded experience, science and politics in mediating the discourse between diverse and competing values.

Next steps

- Interviews with decision-makers and 'architects' of legislation
- Workshop in late 2017 to identify principles and frameworks for valuation
- Test these in cross-programme case study in 2018-19



Thank you!

From our research team (with our Cawthron kaumatua and kaiawhina, at Te Ātiawa marae)