Proposed Wellington South Coast Marine Reserve (Taputeranga Marine Reserve):

Towards Increasing Community Support

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Dedicace

A mon Regretté Papa,

Merci pour m'avoir envoyé à l'Ecole.

Continue à veuiller sur moi.

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Abstract

The aim of this research is to develop a set of community focussed guidelines for the establishment of marine reserves in Wellington, based on an in-depth understanding of the perceived impacts of the proposed Taputeranga Marine Reserve on the community. The proposed guidelines form the basis of recommendations that include key factors to help increase community support for future proposals in the Wellington area.

Like many public submission processes, community objections to the proposed marine reserve were intense. These objections were classified and analysed using interpretative methods. A stakeholder analysis model developed by the World Bank was applied. The objections to the proposed Marine Reserve were interpreted from a community development perspective, within the framework of the Marine Reserve Act 1971.

The analysis of the concerns raised by the community reflected the following issues:
- a lack of understanding of the content of the Marine Reserve Act
- inadequate consultation with various stakeholder groups
- community's well-being affected by the proposed marine reserve
- low credibility of the applicant.

Many conservation projects are complex and it is normal and healthy to expect some degree of community opposition. In order to achieve greater community support for marine reserve proposals, communities and applicants need to seek collaborative approaches that accommodate multiple interests.

The issues raised by the stakeholders of Taputeranga Marine Reserve highlighted the need for future marine reserve applicants in Wellington (and possibly other urban areas) to:
- take greater care in the identification of stakeholders
- provide more complete information to the community
- allow community input into the project proposal

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Chapter 1 Introduction

There will be biodiversity benefits only when the social, cultural and economic wellbeing of indigenous and local people are guaranteed (Convention on Biological Diversity)

In the greater Wellington region there is only one marine reserve, Kapiti Marine Reserve; but the aspiration to create reserves has intensified in New Zealand in the last decade. Despite conservation groups campaigning for the creation of a marine reserve in Island Bay, local community opposition has been very intense and the appropriate authorities have not yet signed off the proposal at the time of writing this thesis. The opposition has now taken another turn and the matter is subject to legal action.

Around the globe, reserves are being established in response to the perceived need to protect declining populations of marine species. The inter-parliamentary conference on the Global Environment held in Washington in 1990 invited nations with coastlines to protect marine biodiversity and productivity (Crosby, 1994). Furthermore, Principle 10 of the Rio Declaration on Environment and Development established in 1992 cautions that:

> "Environmental issues are best handled with the participation of all
> concerned citizens, at the relevant level. At the national level, each individual
> shall have appropriate access to information concerning the environment that
> is held by public authorities, including information on hazardous materials
> and activities in their communities, and the opportunity to participate in
> decision-making processes. States shall facilitate and encourage public
> awareness and participation by making information widely available.
> Effective access to judicial and administrative proceedings, including redress
> and remedy, shall be provided".

Since the establishment of the first marine reserve in New Zealand, at Cape Rodney-Okakari Point in 1975, there has been building enthusiasm for the creation of more. The information available from the Department of Conservation indicates that there are

currently 16 marine reserves, two marine parks, one marine protected area and two marine mammal sanctuaries in New Zealand (Taylor & Buckenham, 2003).

The Marine Reserve Act was enacted in 1971; the New Zealand Biodiversity Strategy (NZBS) published in 2000 and the Marine Reserve Bill is currently before parliament. These all support and encourage the creation of more reserves. In fact, the Department of Conservation has a target of having 10% of New Zealand coastal areas protected by the year 2010 (Department of Conservation, 2000).

Because of the narrow circumstances prescribed in the Marine Reserve Act, the scientific argument has been the driving force for the creation of these reserves. A marine reserve is defined as " a specified area of the territorial sea, sea bed and foreshore which is set up and managed for the purpose of preserving it in a natural state as the habitat for marine life for scientific studies" Department of Conservation (1994, p. 5).

Leaving such important decisions as the creation of marine reserves to the scientists seems to have been the valid argument that has motivated decision makers. It appears that it is often advantageous to argue that important political and social issues can be reduced to technical ones and put in the hands of scientists. What is perhaps less taken into account, but acknowledged by the Crown, is that the sea represents a source of myth, inspiration and spiritual significance not only for Maori, but also for many New Zealanders (Ministry for the Environment, 1998). Thus the management of the sea requires an involvement of communities from a variety of backgrounds.

At times the public response has been wholesale rejection of the consultation process despite all the scientific facts backing the proposals (Butler, 2000). Throughout the history of marine reserves in New Zealand there has always been opposition from the community. Seldom are community concerns incorporated in a proposal. In fact, community values seem to be a lower priority than the scientific benefits of the project.

As required by the Marine Reserve Act, the applicant has to gauge the public view on the possibility of proposing a marine reserve. Surveys that are conducted by the

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applicant are often criticised as poorly executed as is expressed in some submissions opposing Taputeranga proposed marine reserve.

The purpose of this research is to analyse ways in which these two opposing positions can be reconciled so that the marine reserves have a better chance of gaining support from the communities concerned. Without denying the fundamental role science plays in marine resource management, this research reserves a very strong emphasis on the community in all of its aspects. It queries how those who apply for a marine reserve deal with the community concerns.

The proposed Wellington South Coast marine reserve is used as a case study. Initially proposed by the Department of Conservation in 1988, then taken over by the South Coast Marine Reserve Coalition with the support of the Royal Forest and Bird Protection Society of New Zealand in 1991; it was still under consideration at the time of writing. This particular case is significant, as the area for the proposed reserve is adjacent to the capital city and on the coast of a heavily populated area and it has possibly taken longer than any other proposed marine reserve in New Zealand to reach its implementation stage.

Literature Review

Although marine reserves started being established long after terrestrial reserves, there is abundant literature on the topic worldwide covering all scientific aspects of marine life. Given that the idea of marine reserves is relatively new, the majority of literature reviewed was published after 1990. This literature is mainly available in the form of articles in journals, primarily found on Internet sites (eg. www.noaa.gov) or can be accessed on general internet searches using relevant keywords such as marine, maritime, reserve or sanctuary.

In the case of New Zealand the same principle applies. All the attention has been focussed on scientific facts and discoveries with an influence on the local economy. As fishing is restricted within the marine reserves certain fish species are perceived to "spill over" to the adjoining areas (Ballantine, 1991). This spill over phenomenon to the areas adjacent to the marine reserves has been measured with reasonable accuracy for spiny

lobsters (Kelly et al, 1999; Kelly, 2001). According to the literature, it seems to fulfil two objectives:

- Firstly scientific conservation because the number of marine species increases within the reserve and
- Secondly, economic gain for fishermen who profit from the increasing number of harvestable species outside the reserve.

The catch outside the marine reserve is likely to increase with time (Carter, 2002). This view is, however, contested by other scientific findings because fishing will not continue to improve indefinitely. Scientific measurement in international publications shows that the increased catches outside the marine reserve amount to only 10%, and in an exceptional case 30% of the lost fishery inside the marine reserve ("Hobby Fishers", 2002)

The type of marine reserve to be established in New Zealand has had attention in the literature with Ballantine (1997) campaigning for a "no-take" marine reserve. In his letter to Members of Parliament (4 February 1997) Ballantine argued the need for "no take" marine reserves focussing on one rule for everyone to protect it effectively. It is also his view that there has been no clear demarcation between the roles of scientists and politicians when it comes to making decisions on marine conservation (Ballantine, 1997).

Problems associated with increased visitor numbers to marine reserves have been studied. A strong emphasis has been placed on the change of fish behaviour because visitors feed them and damage intertidal and sub tidal reefs (McCrone, 2001). Biological studies of some reserves in New Zealand have been conducted (Department of Lands and Survey, 1985). An increase in visitor numbers to Leigh Marine Reserve area has allowed local businesses to flourish (Walls, 1998). The impact of single marine reserves on the nearby areas, particularly with regards to fish stocks or specific activities has also been discussed (Roberts & Polunin, 1991; Acala & Russ, 1996; Barrier et al, 2002) resulting in better fishing spots.

Recently, the need to incorporate social issues in marine protection was expressed (Department of Conservation, 1999; Department of Conservation 2002). A study on social impacts of marine reserves was recently undertaken (Taylor & Buckenham, 2000)

with an emphasis on what happens once the reserve has already been established. There is generally an initial negative impact on commercial and recreational fishing user groups. This is exacerbated by pressure on local infrastructure to accommodate visitor increase in the area where the marine reserve has been established. However, the community will reap the benefits of the marine reserve in the long run (Taylor & Buckenham, 2003).

To my knowledge, little attention has been given to understand the nature of community opposition to proposed marine reserves. It is my belief that it is timely to scrutinise this important issue prior to the implementation stage, so that once these concerns have been taken into account, marine reserve proposals may enjoy greater support, which is what this research sets out to achieve.

Aim

This study sets out to answer the following question: What procedures could have been followed and what issues needed to have been taken into account in order to lower the degree of community opposition to the establishment of Taputeranga marine reserve? Consequently, what implications does this have for marine reserve design in New Zealand?

The aim of this research is to develop a set of community focussed guidelines for the establishment of marine reserves in Wellington, based on an in-depth understanding of the perceived impacts of the proposed Taputeranga Marine Reserve on the local community. The proposed guidelines form the basis of recommendations that include key factors to help minimise community opposition to future proposals in the Wellington area.

Scope of the Research

In New Zealand, the sea shapes everything from the coastline and the weather to the outlook of its people (Ministry for the Environment, 1997). An anthropologist, an economist, a lawyer or even a politician can all interpret a topic related to marine

reserves from their own disciplinary perspective. This research is undertaken largely from a community perspective within a development studies context.

This research involves issues surrounding marine reserves, but excludes issues related to marine parks, marine protected areas and marine mammal sanctuaries.

The legal aspect of marine reserves is sporadically mentioned in this thesis but it is beyond the scope of the study.

The core of this research revolves around the process of consultation for establishing a marine reserve as advised by the Department of Conservation. Furthermore, the author only examines the non-statutory part of the process for developing a proposal and the statutory process of making a formal application up to the stage when public notification of the application for the marine reserve is made. The subsequent decision making process and the management of the marine reserve are not discussed.

Objectives

This work sets out four objectives:

1. To review the history of marine reserves in New Zealand with particular attention to impacts on the community and community opposition to reserve proposals.

2. To critique the current legislation and analyse the government's position on the establishment of marine reserves in New Zealand so that the concerns of the community can be understood

3. To gain an understanding of the nature of community opposition to Taputeranga Marine Reserve proposal by reviewing the submissions and organising them into coherent categories for purposes of informing any future Marine Reserve design process.

4. To understand the nature of community opposition to Taputeranga Marine Reserve proposal by identifying interests per stakeholder group and determine the

importance and influence of these stakeholders for the project so that this analysis can be used to develop participation strategies for any future Marine Reserve design processes in Wellington region

These objectives are fulfilled in this research document as follows:
After the Introductory chapter that reviews the literature on the marine reserve and states the aim and objectives of the study, the second chapter lays the foundation of this research by introducing key concepts commonly used in both community development and environmental protection. This section reviews some key concepts widely used and covers themes on which hinge the arguments throughout the thesis.

The third chapter outlines the methodology employed and clarifies the conceptual framework that this research draws on to analyse and discuss the findings. In other words, the methodological and philosophical context of the thesis is explained.

Marine reserves have been in existence for three decades and have been promoted by a number of different groups for a variety of reasons (McCallum, 2003). This overview is discussed in chapter 4. Its legal framework and political context are highlighted in chapter 5 while a specific historical account of Taputeranga Marine Reserve Proposal is presented in chapter 6.

The submissions are analysed and classified in chapter 7 and further explained and interpreted in chapter 8.

Sets of Guidelines are suggested for the establishment of marine reserves that are scientifically necessary, politically practical, economically feasible and socially desirable. These are contained in the recommendations.

The challenge is to achieve a balance between the biological concerns of conservation and the socio-economic and equity concerns of the people affected.

Chapter 2 Theoretical Framework

This research attempts to bring together the fields of development and conservation. Although these areas are seen to have conflicts of interest, an integrated approach is necessary so that both can be successful. To gain a broad picture of the proper context in which the theoretical rationale for this research is placed, a good understanding of the key concepts in conservation and development are essential.

Development

It does no violence to sustainability to point out that conversion of a forest into well-managed agricultural land is not degradation if the product from the new use is of greater utility to people, and can be maintained through time (Brookfield, 1991 p.48).

Development is a buzzword that has been widely employed by professionals working in international organisations, heads of states, local authorities and even grass root people for at least half a century. It is one of those all encompassing terms that can only be understood when placed in a given context. In any discipline or profession the term development can be utilized. Used at a country level, the term refers to economic wealth, or to be precise in relation to the GNP (Gross National Product). Its origin in contemporary times can be traced back to the post second world war period, when American President Truman announced his famous four points in the name of helping those economies which were experiencing problems to develop themselves (Gilbert, 1997; Esteva, 1997). This was a new way of thinking in a sense that previously the rapport between western society and the rest of the world had been characterised by:

- Slavery (mainly from Africa) which violated human rights and showed no respect to human values and

- Colonisation with an underlying motive of exploitation of resources found in foreign lands.

After the Second World War, the American authorities had to find new markets for the increasing American industry. The best strategy was to help dismantle the vast colonial empire monopolized at the time by the European countries. Particular attention was

turned to the less developed nations. A new concept then appeared in the international discourse: "under-development".

In his inaugural address, President Truman declared that: "we must embark on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas"(Esteva, 1997, p. 6). Gilbert (1997) argues that from 1949 onwards, often without realising it, more than two billion inhabitants of the planet found themselves changing their name, being officially regarded as they appeared in the eyes of others, called upon to deepen their westernisation by repudiating their own values. Almost overnight, the poor countries were forced to adopt a new identity of being called under-developed nations. Never before notes Esteva (1997) has a word been universally accepted on the very day of its political coinage.

Even after independence, they had no other choice than falling into the new category of under-developed countries. This was the only way they could qualify for "Development Aid" in order to travel the development path mapped out for them by the western world. The key to development as perceived back then was economic growth. Furthermore Black (1999) notes that in the 1950s and 1960s it was generally perceived that "traditionalism" was a development problem and "modernisation" was the solution, hence a strong emphasis was placed on capital intensive, low-risk and urban industrial based large projects.

This way of thinking which equates development to economic growth has been a slogan for those in power to seek or maintain popularity even in recent times. While running for presidency Bill Clinton's corner stone of his propaganda was to double the GNP of America in one generation and this is, what he termed, to put an end to the crisis the country was experiencing, in other words to develop his country.

In the 1970s this way of thinking had already been challenged when ecological fundamentalists who considered human race as the problem (Friedman, 1991), clashed with the proponents of economic growth. This left the world faced with "growthmania" and "ecologism" (Hettne, 1990). "Growthmania" represented a view that set out to achieve economic growth with no regard to the depletion of natural resources be it in

one's own countries or those in the less developed countries. Consequently, "ecologism" emerged to preserve the natural environment and preclude human use of resources.

The Rio Declaration on Environment and Development 1992 was an important step to marry Development and Environment. The developing countries were no longer accepting every single idea from their counterparts in the developed countries at face value. They now had a strong voice and opinions to defend.

In the eyes of developed countries, an emphasis was to be placed on the Environment; hence the original title was "Earth Charter" which was immediately rejected by those less economically developed nations on the grounds that the emphasis was on environment rather than development. Misunderstandings were evident at the very beginning because of the opposing worlds the participants live in. An American representative (Ambassador Robert Ryan) was suggesting a short text in the form of a poster that children could use in their bedrooms, while the representative of the less developed countries replied that many children in developing countries do not have bedrooms.

The title of the Rio Summit report reflects the desire to link the environment and development. A new partnership was also established between the two worlds. Prior to the summit each group was blaming the other for being responsible for the destruction of the environment in various forms. The rich nations were accusing the poor countries of putting too much pressure on resources while the poor were blaming the rich of polluting the environment in various forms. Whatever the position each group took, a positive outcome for everyone was agreed upon; that a human- focussed approach was needed.

Principle one of the Declaration proclaimed that human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature. For the first time the underlying idea was to publicly reject any development that was economic based but achieved at a great social and environmental cost. Objectives of any development project became open to alternative views in economic, financial and technical terms.

Furthermore, it was contested that benefits be designed to "trickle down" from the rich and powerful to the weak and poor. This is where today the trend is to look for alternatives, where the "old state-led approach" to development is abandoned to embrace the "people interest approach". Concepts such as empowerment started being widely employed in development thinking. It is in this context that the Copenhagen Summit in 1995 put a strong emphasis on poverty reduction and well being of communities by setting targets and goals in such areas as education, health, mortality reduction, gender equality and sustainable development

One post-war development school of thinking criticises that development in the past has failed and they are calling for a new approach to development. Sachs (1992) argues that development stands like a ruin in the intellectual landscape and it is time to dismantle this mental structure.

Gilbert (1997) notes that development consists of a set of practices, sometimes appearing to conflict with one another. Hayes (1995) suggests that it works with four broad categories of resources: institutional resources (from the society); human resources (from population); natural resources (from the natural environment) and infrastructure (from the built environment). Development efforts are viewed as inputs to complex systems which themselves integrate elements drawn from society, population, the natural environment and the built environment, with the aim of producing as output an improvement in the quality of life. Any life style change does not necessarily equate an improvement in quality of life. It is only an improvement if the change falls into the people's values and is considered as a change for the better (Hayes, 1995).

The shift is now obvious. After that people–centred development view appeared in development literature, developing countries adopted their own protocols for sustainable development. One example, the Inter-Regional Consultation on People's Participation in Environmentally Sustainable Development, held in Manila in 1989, reported that "the concept of sustainable development is best understood in terms of the sustainability or non-sustainability of a community. Authentic development enhances the sustainability of the community. It must be understood as a process of economic, political and social

change that need not necessarily involve growth. Sustainable human communities can be achieved only through a people centred development" (Allen & Thomas, 2000, p. 160). Chambers (1997) defends this view and argues that the priority in development should be given to secure sustainable livelihoods of the poorest groups within communities.

In conclusion, it would be ambitious to propose a definition of development universally uncontested. Rather it makes more sense to suggest a content of development concept and avoid suggesting the form it should take. Any process that is seeking to meet human material and non-material needs, endogenous, self reliant and environmentally sound can be called a development process.

Community Development

To build a road is so much simpler than to think of what the country really needs (Aldo, 1949).

Many definitions of the community have been suggested. The simplest, yet complete one is a collection of people sharing something in common. These people may or may not leave in the same neighbourhood. In the case of Maori in New Zealand a simplistic view of Maori community would be seen as only limited at hapu and iwi level, however a concept of self-determination, often referred to in Maori as Tinorangatiratanga, is expressed through three principles (Durie, 1995, p. 47):

1. Nga Matatini Maori-the principal of Maori diversity recognising that Maori live in many realities.
2. Whakakotahi-the principle of Maori unity, which acknowledges the potential for solidarity in the Maori community, based on a sense of belonging and a common destiny and
3. Mana Motuhake Maori-the principle of autonomy and control which acknowledges that Maori are no longer prepared to let others decide policies for them, or to make key decisions on their behalf but want to determine their own futures, control their own futures, control their own resources and develop their own political structure.

For the purpose of this research, attention is focussed on community development. The key element of community development is the rejection of the top down approach. This negation of top down scenario stems from social justice theories. As Kenny (1994) explains such theories rest on an analysis of how individuals can bring about social change collectively analysing the nature of oppression.

Past political figures such as Gandhi and Nyerere have applied these philosophies in their respective countries in their own terms. With the good intention of advocating for self-reliance to his country and totally rejecting the western economic system, Nyerere himself fell in the trap of "imposing" a new structure at the community level with his village settlement scheme "Ujamaa". This development path ended up being a list of prescriptions (Gilbert, 1997) and was impossible to achieve; for self-reliance adapts people's way of life to the locally existing factors and environment, with positive ecological and cultural results.

What President Nyerere failed to take into account was that sometimes, a community involves all the life that shares a geographic space. It consists of "a neighbourhood of humans in a place, plus the place itself: its soil, its water, its air and all the families and tribes of the nonhuman creatures that belong to it." How harmoniously we relate to our local bit of earth, how we respect and nurture its gifts, what we dedicate it to--all these affect our relationships with one another, for good or for ill. In this sense, healthy community flows upward and outward from the earth and our connection to it. This development strategy adopted by Nyerere in Tanzanian was termed by Illich (1997, p. 96) as like a blast of wind that blows people off their feet, out of their familiar place, and places them on an artificial platform, a new structure of living.

Ife (1995) states that: Community development represents a vision of how things might be organised differently so that genuine ecological sustainability and social justice, which seem unachievable at global or national levels, can be realised on the experience of human community". Derrick (1993) asserts that community development aims at improving the social, cultural and economic lives of people. This, however, does not mean that it is an activity which will be done for them, rather it is a process of assisting and empowering the people within the community to make their own decisions and

move from dependence to independence. This can only be possible through a true participatory approach.

Development in a Developed Country

Industrial countries have seen their economies grow exponentially often as a result of state sponsored projects. The situation has for a long time left people thinking that developed countries with their high GNP should not have to worry about the development issues inside their territories. This development thinking took a turn especially in the 1980s (some will even say earlier) with the shift towards a neo-liberal strategy.

The gap between the rich and the poor within developed countries became wider and wider until the state could no longer contain it. Some movements started interpreting this situation based on critical theory. The defendants of this theory believe that the social world is characterised by differences arising out of conflict between the powerful and the powerless. In order to close the gap, a good understanding of how this conflict is expressed is critical (Fay, 1987). At the international level, industrialised countries saw a huge increase of student political activism, anti-war movement, and black liberation movements especially in America in the aftermath of the Second World War. Coupled with these "political movements", social movements such as women liberation, environment and anti racism started in many of those countries with high GNP. It was then that the birth of the welfare state in the so-called rich countries occurred.

In New Zealand, the emergence of Maori activism is closely linked to those international movements. Land occupations and marches were an expression of showing the Crown the inequality in New Zealand society. Interestingly, some Maori protests in the 1970s took a less racial aspect to embrace a simple social New Zealand aspect as expressed in the following comment during the land march on Parliament: "We see no difference between the aspirations of Maori people and the desire of workers in their struggles. The people who are oppressing the workers are the same who are exploiting the Maori today" (Te Roopu o te Matakite, 1975).

In developed countries also the marginalised groups are often the ones who rely heavily on the natural resources. Obviously the resources are not able to satisfy their needs. With that arises a problem of the state wanting to intervene in their daily lives. In the western world, this idea is consistently exploited by political parties especially those in opposition to secure their votes. Local and social issues are the main weapons used by the opposition to highlight those "forgotten" classes. Some with lack of resources are forced to satisfy their needs by utilising natural resources.

Community Based Conservation as a Development Tool

Nature and development are mutually dependent. Parks supply goods and services and if harvested wisely, natural products (game, medicinal plants, timber) can contribute to local economies.

> (Hogan, 2000)

Throughout the world, government conservation departments or ministries are relatively new in the bureaucratic machine. This is true both in developed as well as in less developed countries. Established in 1987, the Department of Conservation is still in its infancy in New Zealand. This is possibly because the "Green Movement" recently highlighted the need for protecting and preserving the resources. It was then later noticed that with limited resources it is less practical for the state to adequately protect the natural resources, hence a number of questions arose. The overarching interrogation was: whether social concerns should be incorporated in conservation.

The answer proposed by some but still rejected by many is that social acceptance is crucial for conservation to be sustainable. While some sanctuaries and parks have been successful, their isolated success has made a generation of biologists and wildlife managers believe that the only option to save an ecosystem is to isolate it from humans. However, Western (1994) cautions that humanity is the crux of the wildlife threat and therefore of its solution, too. People play many direct and indirect roles in resource management. These roles need to be recognized and dealt with in an effective manner.

State policing and control against people's values and practices can work only to a point, especially under the mounting problems of poverty and population dynamics, and

within a process of economic globalisation. Furthermore, the state's resources are so stretched that its authority is far removed from grass root people. Idealistic movement seeking a non-patriarchal world precipitates this erosion of the state's authority. If people value and appreciate biodiversity, if organized groups derive concrete benefits from it, they have the best chances to succeed in conserving it in the long run. If they do not, they are likely to become their own worst enemies when state control is for any reason lessened.

There is a positive correlation between effective conservation and the provision of a wide range of social benefits and positive responses to social concerns. Resource users possess detailed knowledge of local biodiversity and can be effective in monitoring it and suggesting how to preserve it locally. Importantly, they are often the most determined defenders of local resources against exploitation by external interests. Complementary capacities do exist; the challenge is to create the conditions for collaboration rather than competition and hostility.

In the early 1990's, the World Bank, World Wildlife Fund and the United States Agency for International Development (USAID) derived an innovative approach to conservation management. It was coined the Integrative Conservation and Development Programme (ICDP), whereby conservation development was linked to social and economic development. The imposition of traditional conservation agencies was frowned upon and a focus on treating locals as active collaborators as opposed to passive beneficiaries (Brandon &Wells, 1992) was adopted. In some cases the initiative has stemmed from within communities themselves.

This was the case for CAMPFIRE (Communal Areas Management Programme for Indigenous Resources), a project first tried in Zimbabwe. While the world's attention was focussed on the ivory ban, the residents of Nyaminyami received from the government the right to exercise control over their wildlife. This effort has given hope to the local people who live with the wildlife and has protected the elephants better than the mere banning of ivory would have done (Leakey, 1994).

People's perception of conservation has changed. It is now perceived by many as a complex matter that has outgrown biology and ecology. It now involves a variety of

perceptions and interests. At best, all such perceptions and interests meet in designing and implementing plans and activities. Polarized views such as that "conservation is only a by-product of a development agenda" or that "conservation is only a matter of sound biological science" contribute very little to real initiatives on the ground. What is important, however, is to recognize that all conservation initiatives need to be accountable to somebody, and that local communities are among the first to whom they should be accountable.

There has been a shift in the way professionals tackle conservation challenges. A clear example is the Population Habitat Viability Assessment (PHVA), a tool employed by the IUCN, whereby representatives of scientists; politicians, farmers and local people (men and women) meet to decide on strategy for the protection of an ecosystem. This technique has worked where it has been applied. A successful example is a chimpanzee conservation project in Uganda, which involved many stakeholders, where PHVA was used to implement policy change (Edroma et al, 1997).

Stakeholder Analysis

Experience in development projects has revealed that projects fail particularly because of the blue print approach utilised by the project manager or the funding organisation. Many unknown factors hinder the smooth running of the project. In recent years, development practitioners have realised that it is not necessarily the project manager who has the solutions. Stakeholder analysis has been introduced for these reasons.

Development project management must be a participatory process, which means that the various stakeholders influence, and share control over, the development initiatives, decisions and resources that affect their lives (Department of International Development Cooperation, 1998). It is essential to have the participation at all stages of a development project from the people who will be affected by the development intervention. Discussion and analysis bring together the different opinions, values and views.

For a project of a complex nature, it is important to complete an in-depth stakeholder analysis to gain a greater understanding about whom the potential stakeholders are and

how they will affect or be affected by the project. By analogy to development project management, a stakeholder is any person, group or institution that has an interest in the project. This definition includes intended beneficiaries and intermediate, winners and losers, and those involved or excluded from decision making processes. A stakeholder analysis is the identification of key stakeholders, an assessment of their interests, and the ways in which these interests affect risk and viability of a project (Banks, 2002).

A stakeholder analysis is more appropriate to a development project than an inventory of required resources and tasks. This is crucial when the communities affected are complex and the stakeholders and their relationships to the resources are not easily identifiable. A stakeholder analysis requires more time and resources than an inventory, since the analysis is usually carried out in the field and involves participatory exercises and the collection of new data.

General Environmental Ethics

Throughout history, individuals and society have perceived nature differently. Hargrove (1989) traces environmental ethics back to a history of ideas largely independent of the history of philosophy beginning with the aesthetic appreciation of nature. Taylor (1986) states that environmental ethics is concerned with the moral relations that hold between humans and the natural world and the ethical principles governing those relations determine our duties, obligations and responsibilities with regard to the Earth's natural environment and all the animals and plants that inhabit it.

A good understanding of these historical positions will help clarify the contemporary environmental issues and is vital to placing both environment and development in the same context. Leopold was a prominent figure in the 20th century American environmental ethics to actively advocate for environment ethics. His concern was the lack of relationship between the societies and the nature that they are part of. In the following paragraphs, four main environmental ethics are summarised based on the work of many authors who have discussed the issue. Those points developed are far from covering all the writings developed on the topic.

Puritan-Frontier Development Ethics

The Puritan-Frontier Development Ethics implies the superiority of human over the environment. Humans have the right to harvest any resources occurring in the environment in order to satisfy their needs. This ethic was predominant when resources were perceived as plentiful. In the case of marine reserves, this is the view shared by many groups especially those whose existence has always depended on the gathering of seafood. These people will not hold any value on no-take marine reserve and will oppose any initiative stopping them from harvesting in the place they have been using for centuries. It will take more than a piece of legislation to convince them to change their customs and habits, and embrace other environmental focussed values.

Romantic-Transcendental Preservation Ethic

The Romantic-Transcendental Preservation Ethic values nature for the intrinsic, often metaphysical reasons. This ethic implies that every form of life should be respected and protected. However this protection is governed by moral rather than legal rules. This ethic is embedded in different religious denominations. In an address on the world day of peace, January 1,1990, Pope Jean Paul II stated: "In our day, there is a growing awareness that World peace is threatened not only by the arms race, regional conflicts and continued injustices among people and nations, but also by a lack of due respect for nature, by the plundering of natural resources and by a progressive decline in the quality of life" Director General of International Labour Organisation (1990, p. 4).

Islam considers man as part of the universe whose elements are complementary to one another in an integrated whole, but man has a special relationship to the other parts of nature, therefore harmony needs to prevail at all times.

Buddhism corroborates this view especially with the ultimate respect reserved to all living things. Furthermore, his Holiness the Dalai Lama cautions that "science and technology alone cannot solve the problems of environmental destruction…world peace and protection of nature are related, interdependent goals. Both are possible if people are committed to humanitarian values, respect and love, compassion and tolerance for all forms of life (Dalai Lama, 1989).

Democratic Utilitarian Resource Conservation Ethic

The Democratic Utilitarian Resource Conservation Ethic sees the environment as a commodity that needs to be used wisely to support human activities. Resources are conserved only if they have an esthetical value or are appealing. Under this ethic extinction of species is likely to happen. This is based on an anthropocentric view. Nature is seen as an instrumental value and a resource for human beings to fulfil their "wants and desires". The danger here is that human wants and desires are not limited. The application of this ethic and its results can be seen in the current problems surrounding the whaling issues.

Evolutionary-Ecological Land Ethic or Ecological Biotic Ethic

This ethic was developed by Leopold (Smith, 1999). According to Leopold a good understanding of science (especially Darwin's theory of evolution by means of natural selection) helps people understand that man is no longer a conqueror but a member of a wider community that includes soil, water, plants and animals. Here there is a shift from the older conservation idea of economic biology, which perceived resources as just commodities, to the preservation of a healthy entire system. This ethic is currently being embraced by organisations to try and get people understand that humans are part of an ecosystem and this needs to be healthy in order to last.

The protection of marine reserves falls very well into this category. The key to the success of applying this ethic is environmental education. As Leopold (Smith, 1999) argued, people need to make sacrifices and not just look at the economic gain when dealing with nature. Being a hunter himself, his motivation for conservation was less for the preservation of an ecosystem, and more for the defence of good hunting game. However, through a series of eye-opening experiences, Leopold came to realize the importance of viewing the natural world as an entire biota, and then preserving it as such. Leopold (Smith, 1999) argues that the new generation has come to realise that people are only fellow-voyagers with other creatures in the odyssey of evolution.

This new knowledge of kinship with fellow-creatures appreciates a wish to live and let live; a sense of wonder over the magnitude and duration of the biotic enterprise (Smith, 1999). As a result of his transitional attitudes towards conservation, Leopold added unprecedented insight into the world of ecology and naturalism. He moved from

believing in partial participation in nature, to the view that total integration is absolutely necessary to the healthy existence of the natural world, and of humans.

Enacting legislation does not alone help solve conservation issues. A good understanding of conservation ethics will help decision makers tackle those problems accordingly. It needs to be noted however that ethics are a system of morals that cannot be imposed. They can however evolve (just like Leopold's). What I am arguing here is that community or society can be steered by legislation and education to provide a new paradigm of consensus.

Maori World View on Environment

Ko te whenua te waiu ka uri whakatipu.
Mother Earth, through her placenta,
provides nourishment and sustenance for her offspring.
(Maori Proverb)

Although it is incorrect to classify all Maori people in one entity due to tribal diversity, it is suggested here that that in general all tribes do share the way they relate to the environment.

Many creation stories clearly show the place humans occupy in the society. It develops a holistic world-view. There is no break or distinction in the cosmology. All things have their own genealogy or whakapapa and are ultimately linked with the gods Rangi and Papa. Klein (2000) asserts that human beings are included in this genealogy and are only one part of the great genealogical web. Consequently, humankind is seen as an intrinsic element of nature and not as separate from, or even as superior, to nature (Walker, 1987).

The term "whenua" is translated in its full meaning and it means land as well as placenta or after birth. According to Maori belief, the land nourishes the people who live on the land the same way that a placenta nourishes an unborn child. Maori strongly believe that the natural resources must be protected for future generations and unlike the western world the value of any natural resource is not determined by its market value (Challenger, 1988).

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Matunga (1994) has proposed that to understand Maori environmental values four fundamental aspects need to be considered: taonga, tikanga, mauri and katiaki. Taonga is interpreted to mean a resource highly valued. The way it is valued varies according to tribal guides to moral behaviour also known as tikanga. Moreover, all Maori tribes believe that all things, including living and non-living, are afforded a spiritual existence that complements the physical state. In other words, everything has a mauri. To ensure that what is around today will be enjoyed by the future generations, a katiaki or a guardian is needed. The notion of Katiakitanga embedded in Maori culture reiterates the importance the Maori reserve to the natural environment because as Henare (1988) puts it, human beings are children of the land who have obligations of care and responsibility for Mother Earth and all its natural assets.

Chapter 3 Methodology

Conceptual framework

I have approached this research as both an outsider as well as an insider. I consider myself as an outsider because I am not seen as having a strong vested interest in the proposed reserve. This can be explained by my "non New Zealand origin". Furthermore, being a student makes me appear as someone collecting data purely for academic purposes. This position has allowed people contacted to feel comfortable, thus allowing me free access to written documentation on the research topic.

On the other side of the coin, I somewhat consider myself as an insider because of my interest in environmental and development issues and as a resident of the Wellington community. Over the last decade, I have developed a great interest in community-based conservation through my personal life as well as through my professional involvement.

This research is based on a case study. Robson (1993, p. 5) defines a case study as a strategy for doing research that involves an empirical investigation of a particular contemporary phenomenon within its real life context using multiple sources of evidence. Leeds (1997) emphasises that fundamental to a case study is an in-depth study of the phenomenon of the case in its natural context and including the point of view of participants.

The main purpose of a case study is to shed some light on a phenomenon. Robson (1993) notes that research on a case study is conducted for the purpose of describing, explaining or evaluating a phenomenon.

It would be ambitious to state that this research gives an infallible explanation to every situation involving a marine reserve. However, the challenge is to gain a good understanding of the issues surrounding this proposal most importantly in the areas of perceived community impacts. Thus, this piece of research has been embraced with an open and enquiring mind.

The questions posed in this thesis explicitly link ecology, development and social science, thus requiring an interdisciplinary case study approach. To help keep focus and provide direction, a common framework was needed for this research.

While undertaking this work, my source of inspirations were drawn from the interpretive scholars whose philosophy is layered with ideas stemming from German intellectual tradition of hermeneutics. Paraphrasing Geertz (a hermeneutic scholar), Denzin (1997, p. 122) defines the understanding of human action as an interpretive science in search of meaning, not an experimental science in search of laws. This is the act of making sense out of a social interaction going beyond the mere reporting of an act (Glesne, 1992).

Like these scholars, I consider that every human situation is more or less novel, emergent and filled with multiple often-conflicting meanings and interpretations. The focal point of this interpretative theory is the understanding and analysis of meanings in specific contexts. I have attempted to make sense of any information related to this proposed marine reserve. This is mainly found in the chapter dealing with the discussions of findings.

Methods

An exploratory study of the literature available on New Zealand marine reserves was undertaken. This mainly fulfils the first objective related to the history of the establishment of marine reserves in New Zealand. This process along with the factual information gathered in government departments' offices (Department of Conservation and Ministry of Environment), local authority offices (Wellington City Council, Greater Wellington Regional Council), stand alone organisations such as New Zealand Sea Food Industry and in not-for-profit organisation offices (mainly Forest and Bird Royal Society) has helped to identify traditional key stakeholders in the establishment of marine reserves.

Bradshaw and Stratford (2000) argue that exploratory work will often give the capacity to begin to comprehend the perspectives of key informants. However the documents found in these offices were not taken at face value. As Forster (1994, p. 149) cautions,

"they must be regarded as information that is context-specific and as data that must be contextualized with other forms of research". These written documents were interpreted and examined for any underlying meanings.

For the second objective, the main method used consisted of interpreting the legislation and comparing its principles to the issues discussed in the current development literature. The Marine Reserve Act 1971, Marine Mammal Protection Act 1978, Resource Management Act 1991 amongst others have been interpreted from a community development perspective. The changing role of the Department of Conservation has also been analysed.

The constitution of the Royal Forest and Birds Society has been looked at to gain an understanding of the framework under which the driving force of the South Coast Coalition operates. Hodder (Denzin & Lincoln, 2000) argues that there is no original or true meaning of a test outside specific historical contexts. Furthermore, May (2001) cautions that documents may be interesting for what they leave out as well as what they contain. It is, therefore, important to keep in mind the original context in which the legislation was established, and ask whether it is still relevant to the needs of our contemporary society.

The guidelines for establishment of Marine Reserves, produced by the Department of Conservation, have been compared with the tools used in Development Project Management, namely stakeholder analysis. The main reason for doing this stems from the current documents produced by the Department of Conservation, in which the department maintains that the community has an important role to play in any conservation initiative.

The third objective has been fulfilled by what Denzin and Lincoln (1994) term variable oriented strategies. Themes that cut across cases were identified. Several interest groups and individuals have made submissions either in favour or opposing the proposed marine reserve. All these submissions are stored at the Department of Conservation Office, Bowen House Building in Wellington and were made available for analysis.

As indicated in the scope of the research, only the objections to the proposed marine reserve were used for analysis. 1293 submissions were received in total, which includes the 28 late submissions that the department of conservation did not consider in their report to the Minister of Conservation. For the purpose of this research, those who gave conditional support were also included in the objections because they still opposed this proposal as it was presented to them. Therefore, 635 objections were considered.

All of these objections have been read and from these, stakeholder groups were identified and classified into several sub-groups, according to the steps outlined in the World Bank model for stakeholder analysis. Decision trees were developed to assist this process. These decision trees listed a number of questions in order of priority to determine common characteristic for each group.

The following criteria listed in the first decision tree helped determine different stakeholder groups:
1. The ethnic background where specifically mentioned,
2. Commercial interest in the area,
3. Environmental ethic of those putting in a submission;
4. The geographic location in relation to the proposed site;
5. The recreational dimension offered by the proposed area.

Once all the submissions were read and stakeholder groups were identified, a more detailed analysis of a selection of submissions was undertaken. For each stakeholder group, all submissions were analysed except where the stakeholder group was larger than 10% of the total population (i.e. 635 objections) in which case, 64 submissions from the group were included, so that not one stakeholder group in the sample exceeded 10% of the total population. In total 231 submissions with detailed comments were selected for analysis.

The importance of each identified stakeholder was determined using a decision tree with the following criteria:
1. Entitlement to commercial fishing rights or right of navigation
2. Entitlement to customary fishing rights
3. Regular visits to the site

4. Longstanding usage of the area

Similar to the importance of stakeholder, the allocation of a degree of influence for each stakeholder group was decided using a decision tree with the following priorities:

1. The Crown's legal obligation towards the stakeholder
2. Potential influence over the decision makers for the establishment of this reserve
3. Large proportion of the total number of objections received
4. Likelihood to influence other stakeholders

Some key factors that are likely to increase community support to the establishment of marine reserves in Wellington area are suggested and form the basis of the recommendations of this report.

The main question that was asked throughout this exercise was what were the underlying reasons for those objections to the marine reserve proposal from a community development perspective?

In summary, a multidisciplinary approach was undertaken. This is what Robson (1993) calls a promiscuous approach. To get a clear understanding of certain situations, different strategies, tools and techniques from several disciplines such as sociology, development studies, anthropology, philosophy, history and other related disciplines were drawn upon. This was largely employed during the analysis and discussion of the findings.

Limitation

As I was analysing and discussing the information related to the Taputeranga marine reserve submissions, it became apparent that I was confronted with complex information requiring different methods. Some of the situations encountered could have been better interpreted and accurately explained if different methods were employed. Eyles (1988) cautions that validity of meaning is context dependent. He goes on to explain that while people know what their actions mean to themselves, they may not always be clear on what they mean to others. Malinowski (Eyles, 1988) advocates a need for statistical coverage for the organisation of people under investigation,

observation to discover the behaviour and conduct of individuals and collectively and ethnographic description based on conversation and interview to elicit the attitudes and beliefs of the people. Although this brings quantitative dimension into this qualitative research, it complements the interpretive approach employed in this research.

The major limitation to this study has been restricted access to the literature on the social dimensions of marine reserves in New Zealand. Moreover, given that at the time of writing this research, the final decision was yet to be made, some of the documents containing useful information are not as yet publicly available.

Chapter 4 History on the Establishment of Marine Reserves in New Zealand

This chapter traces a brief overview of the establishment of marine reserves in New Zealand, rather than describing the detailed history of all the marine reserves legally known as such. While recognising the uniqueness of every marine reserve in relation to its establishment in New Zealand, a special emphasis is placed on the motivation that guided the creation of marine reserves and the trends that have been observed over the last three decades. Arguments for and against marine reserves being used for political purposes rather than to satisfy conservation requirements are explored here.

People have been interacting with the sea for as long as New Zealand has been inhabited, hence it would be oversimplifying to state that marine management is a new concept. This management has mainly focussed management of fisheries for an optimum economic return (Creese & Cole, 1995). Marine reserves as a tool for conservation of inshore marine environment are a relatively new concept in New Zealand and are at least a century behind that of terrestrial conservation (Towns & Ballantine, 1993).

A number of marine reserves (Ballantine, 1998) have been created over time to satisfy different objectives. Ritchie (1986) argues that the reasons for creating marine reserves are as wide as the reasons for creating land reserves; for example to protect and enhance special, unique, endangered and representative organisms, communities, habitats and ecosystems for conservation, cultural, historical, recreational, educational, tourism, fisheries and scientific purposes.

For instance, Leigh Marine Reserve was created specifically for scientific understanding of an inshore ecosystem. In the 1960's the University of Auckland established a marine laboratory near the township of Leigh. The committee managing the laboratory became increasingly worried about the effect harvesting fish would have on the scientific research that the marine laboratory had set out to achieve. So the impetus for the establishment of the first marine reserve in New Zealand came from the University of Auckland and was backed up by the New Zealand Underwater Association because of

the decline of marine life observed in the area since the late 1950s (Walls, 1998). The proposal had to have a great emphasis on science, as this was the only legitimate argument for a marine reserve during that period. The literature shows that despite low public interest in such a reserve, seventeen objections were received but none was upheld (Walls, 1998).

The establishment of a marine reserve at Poor Knights Islands was motivated more by its scenic and recreational values than its scientific merits. As early as 1882, these islands became a scenic reserve. In 1929 they became a sanctuary for nature and imported game species (Kelly, 1983). Concerns were raised in relation to the threats these introduced species were having on the islands. A strategy was then set up to alleviate the negative impact these species were having. A programme to eradicate pigs was completed in 1936 (Kelly, 1983) and the effort then focussed on reforestation. By 1956, access to the islands was restricted to those holding a permit. In 1975, the reserve status for the protection of the flora and fauna was granted to the Poor Knights and the islands were automatically classified as a nature reserve by the Reserve Act 1977.

The idea of establishing a marine reserve around Poor Knights islands emerged in the late 1960s following the enthusiasm from a group of people whose concern was to protect the area. From the environmentalists' standpoint it made sense that the protection of the marine ecosystem followed the same logic as the protection of territorial species. The Environmental Defence Society and the Hauraki Gulf Maritime Parks Board applied for a protection order of the area. However, given that the area in the Hauraki Gulf was very popular for recreational fishing, the community opposition was very intense. The Marine Act 1971 as it stood at the time did not allow any taking of marine species from the reserve. The proposal stalled until the Act was amended in 1978 to satisfy community concerns about this reserve. Poor Knights islands became a marine reserve in 1981.

From Science to Common Sense

Over the last three decades, there has been a shift in the purpose for promoting resource management, from the purpose of scientific research to the purpose of conservation. It

may not have been as much as a shift, but rather a natural progression from one to the other. Internationally in the 1960s, it was believed that scientific facts were the answer to many environmental problems. Furthermore, the discovery of the "unknown" coupled with the enthusiasm of a group of researchers/scientists was the foundation of the establishments of marine reserves in New Zealand. Indeed, it is important to fully understand a certain species, its ecology and behaviour in order to protect it. Like Jane Goodall's slogan (2000):

"Only if we understand, can we care.

And only if we care, will we help.

Only if we help, shall all be saved."

So, it may have been the scientific research that created the wish for conservation in the first place.

Although scientific motivation had been the driving force for the establishment of marine reserves at large, there had been some disagreement among scientists regarding the location of the reserves and the degree of access which maybe exercised, justified and permitted for scientific purposes (Jilliet, 1990).

Conflict between scientific goals and alternative uses for recreational ends as well as others has surrounded the establishment of marine reserves.

Over the years, even in the scientific community, there are those who defend the preservation theory as applicable even to scientists themselves. This means that they do not allow anything to be removed from the reserve area. The defendants of this view do not make any distinction between tangata whenua and other citizens and argue that the preservation theory should prevail and apply to everyone, regardless of their tangata whenua status. This issue has dominated the media in recent times and is unlikely to be resolved quickly. This topic is outside the scope of this study.

Supporters of preservation theory like Ballantine (1991) insist that marine reserves must be fully protected. He goes on to say that when protecting stock, it makes little difference whether death was an accident, a tradition, part of commercial fishing or a bit of fun. This however poses the problem of how far can the law go. One could argue that even the scientist carrying out research in an area is encroaching, therefore interfering in the marine ecosystem.

Lack of Community Support

Over the years, the establishment of marine reserves has been very contentious (Taylor & Buckenham, 2003) with one common problem: lack of wide support from the local community. Some argue that this is solely because of insufficient or lack of consultation, poor information sharing and limited listening to the local communities.

The idea for creation of marine reserves in New Zealand has come mainly from conservation groups, universities and the Department of Conservation. All these groups have put forward a common view: their advocacy for conservation. Experience has shown that their primary focus has never been on addressing the livelihoods of communities affected.

Little time and attention has been paid to community needs to date. In the case of the Poor Knights Island Marine Reserve, the Department of Conservation ignored strong opposition from the community to ban recreational fishing and decided not to undertake a social and economic impact assessment. This might have resulted in changes to the management of the reserve (Taylor & Buckenham, 2003). Such disregard for the communities' views is typical of many conservation initiatives and it is not only limited to New Zealand. It is largely based on an overriding the ethical desire to conserve.

Those defending the notion of protection of an area or species are unable to sell it to the community in order to gain their support because it is not easy to show tangible results that the community will gain from not touching the protected resources. One could challenge the real benefit of having whales in the oceans, wildebeest in Serengeti, mountain gorillas in the Virunga Mountains just to cite a few examples. It is practically impossible to conduct any social or economic cost benefit analysis of such values. The only valid argument, but often hard to grasp, is based on the "sympathy" and "feel good factor" as indicated in the chapter 2. Furthermore, intrinsic value and bio-centric ethic has become an important driver or justification for conservation efforts that value nature beyond mere utility to humans.

On the Road to Consultation

Changes in the democratic system that swept the political arena in the last decade or so did not spare the environmental field. No longer were decisions left to central government but local governments saw themselves empowered. Consequently, local people were encouraged to have a say in resource management. Consultation became a buzzword. The Resource Management Act 1991 (RMA) is an example of how decision making evolved from being centralised and closed. Now the whole process is required to be open and people are encouraged to participate. These were the early days of what is termed the bottom-up approach.

With the introduction of RMA, consultation became widely utilised as a new approach to resource management in New Zealand. While there is no universal way of conducting consultation, community interests will only be protected if consultation is done appropriately. Quite often the consultation has been conducted in an unsatisfactory manner. This is summarised in a statement by the courts of appeal for the case of Wellington International Airport Ltd v Air New Zealand:

> *"Consultation must be allowed sufficient time, and genuine effort must be made. It is to be reality, not a charade. To consult is not merely to tell or present. Nor, at the other extreme, is it to agree. Consultation does not necessarily involve negotiation towards an agreement. Consultation is an intermediate situation involving meaningful discussion"* (Beverley, 1998, p. 138).

While marine reserves have been in existence in the last three decades in New Zealand, no government has shown any opposition to the creation of these reserves, though some governments have shown more enthusiasm than others. For example, the current government has stated that at least 10% of the coastal area will be protected by 2010. One could wonder if this is realistic given the reluctance of communities in the past towards those reserves, together with the poor records of marine reserve being established every year.

Since the first marine reserve was created in 1975, less than one percent of New Zealand's coastal environment has been afforded protection by marine reserve status; it is hard to imagine that another nine percent will be protected in just six years without compromising the consultation process so critical for a positive outcome. One would therefore ask whether this government's intention is politically motivated or it is based on genuine conservation concern.

Does a Conservation Initiative Really Affect Communities?

The largest marine reserve in NZ, Kermadec Island has received low public interest. The Kermadec Islands were gazetted as a nature reserve in 1934. At the time, this was one of the highest forms of protection an area could be given under New Zealand law (Department of Conservation, 1991).

Located at some 1,000 kilometres northeast of New Zealand and with no human settlement, the process towards establishing a marine reserve at Kermadec Island did not meet any public opposition. The marine reserve status was afforded to the Island in 1990. To the contrary, the proposed Taputeranga Marine Reserve located in Wellington, capital city of New Zealand has received a very strong opposition and is analysed in this research.

Marine Reserves have not had a very successful history in New Zealand with drawn-out application processes and unsatisfactory community support. How has the New Zealand government's attitude towards the environmental resource management changed over time and how has their greater emphasis on conservation enabled marine reserves to be established?

Chapter 5 Government Position on the Establishment of Marine Reserves

This chapter assesses the development of some of the statutes that have shaped natural resource management in New Zealand. An attempt is made to place New Zealand in an international context in order to understand how over time the international arena has influenced New Zealand legislation and whether the community needs have been undermined by the conservation related issues. Specific examples are drawn from the field of marine resources.

At the international level, the need for the protection of marine environment and resources became apparent during the course of the 1950s and early 1960s. A succession of conventions (Geneva Conventions on the Law of the Sea 1958) set down objectives to protect the sea from the pollution mainly caused by ships. The first World Conference on National Parks in 1962 considered the need for protecting coastal and marine areas (Kelleher & Kenchington, 1991). It was then a necessity to start developing legal frameworks.

In the 1970s there was a growing concern that the exploitation of mineral resources on or beneath the seabed, as well as over fishing (especially in deep waters), was having a detrimental effect on the marine ecosystem. The United Nations organised a conference with a specific agenda on law of the sea that led to measures regulating the protection of fish and other marine resources within a distance of 200 nautical miles from any national jurisdictional baseline. It is this initiative that laid a legal foundation upon which measures for the establishment of marine protected areas and the conservation of marine resources could be developed for areas beyond territorial seas.

New Zealand waters harbour resources that are precious to the country. For example, fish are important to recreational fishers, a source of protein for people, provide a boost to the country's economy by providing jobs and bringing wealth to the country through overseas export earnings. It is important to protect these resources so that they can

satisfy the needs and enjoyment of future generations. Over the years, there has been a change in the way marine resources have been managed.

In New Zealand, there are two major tools for the management of marine resources: Marine Reserves and Fisheries legislations, both of which relate to the Resource Management Act 1991. There are fundamental differences between the two management tools. Fisheries legislation is enforced solely by the Ministry of Agriculture and Fisheries and is seen as resource management. This management is often temporary and can be changed at the whim of a regional fisheries controller (Ritchie, 1986). In contrast, the marine reserves legislation is conservation oriented and requires administration by a committee representing several different interest groups.

As discussed in chapter 4, the marine reserve legislation received its initial impetus from Auckland University academics Professor Val Chapman and Dr Bill Ballantine, during the mid to late 1960s. The resulting Marine Reserve Act 1971 was designed to allow establishment of small, non-extractive marine reserves for scientific purposes.

Overview of Fisheries Management in New Zealand

Between 1850 and 1950, there was little commercial demand for fish, partly because most people were fishing for their own consumption. There was little export of fish and few foreign vessels entered New Zealand waters for commercial fishing purposes. The fisheries legislation was limited to licensing fishing boats.

The 1950s saw an increasing market demand for fish and shellfish that led to the establishment of fish processing companies such as Sealords, Watties, Sanfords and Jaybels. More and more foreign fishing fleets became interested in New Zealand waters because fish were plentiful.

From 1960 to1978 a change in government economic direction meant almost deregulation of the fishing industry, in the hope of encouraging foreign investment. This open access to fish resources led to a rapid increase in foreign fishing activity in New Zealand waters. Foreign vessels took away huge tonnages of fish. This strategy adopted by New Zealand government was contrary to the international discourse of the

time. This was the period when the oil crisis led other overseas governments to realise that continued growth depended not only on capital formation or skilled manpower, but also upon the long-term availability of natural resources. Early signs of strategies for sustainable use of resources started to emerge at an international level.

In the late 1970s the New Zealand government wanted more control over fish resources. In 1978 the government enlarged the 12-mile protection zone around New Zealand's coast to 200 miles. This became known as the Executive Economic Zone (EEZ). The government could now control foreign fishers' access to fish resources within this area.

From 1980 onwards research indicated that overfishing had depleted fish resources in New Zealand waters. The period between 1985 and 1996 was characterised by profound political and social changes. The different governments of the time recognised that some species of fish were becoming a scarce resource. There was a debate as to whether or not they should take responsibility for this resource. The systemic restructuring heavily influenced by a neoclassical economic libertarian doctrine was criticised as an intrusion of the government into the sphere traditionally reserved to individuals and was seen as a distortion of the efficient functioning of the market (Grundy, 1994). The government introduced an extensive system of Individual Transferable Quotas (ITQ) as its primary fisheries management tool. This system required the government to annually set a Total Allowable Catch (TAC) for each species. It included catch for commercial, recreational and traditional fishers as well as illegal take. The commercial component of a TAC is then allocated proportionally to each quota holder as a fully transferable property right (Craig et al, 2000). Although this system was seen as an economic success, the accuracy of the catch data is impossible to determine due to inshore fishing and anomalies in record keeping.

During this period the Resource Management Act 1991 was enacted to manage the use of all natural resources, including marine resources as discussed later in this chapter. Around the same time the government started to realise that before any guidelines were set for the use of these resources a series of factors had to be carefully examined.

Economically, fishing contributes significantly to employment opportunities and brings vital revenue to the country. Statistics available from the Sea Food Industry Council's

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website show that in 2002, the industry earned in excess of NZ$1.55 billion in annual exports, made NZ$1.8 billion contribution to the country's GDP and created 27,000 full time jobs especially in coastal communities.

Socially, recreational fishing is perceived as a pastime for many people and is considered as a source of enjoyment. Leisure is often seen as a quality of experience or a state of mind that involves four conditions: freedom of choice, a sense of being in control, intrinsic motivation and personal enjoyment. All these conditions can only be evaluated and appreciated by the person immersed in this experience. Fishing is one such experience.

Environmentally, fish are an essential part of the marine ecosystem. By managing fish populations in reserves, it is believed that spill over of excess fish can contribute to an increase of fish stock in areas adjacent to marine reserves as briefly indicated in the literature review. Furthermore, it is also an essential food source to other marine species, which are attracted to the outer boundaries of marine reserves.

Culturally, fish in coastal areas have a particular significance to Maori and other cultural groups. Legends such as those associated with taniwha indicate the place of fish in Maori ideology. The homes of the taniwha are considered sacred. There are also Maori legends (Hyland, 1997) where fish play an important role like the story of Te Ika a Maui.

Politically, the decision making process is vital to help understand who should have responsibility for fish resources. From the 1980s, the government took a much more active role in fisheries management to achieve the sustainable use of marine resources. A quota management system (QMS) was later adopted.

Resource Management Act 1991

The promotion of sustainable management of natural and physical resources is the overriding objective of the Resource Management Act 1991 (RMA). The Act's origin as a resource management framework can be traced back to the World Conservation Strategy in 1980, which was endorsed by the New Zealand government and adopted by

the Labour Party in its 1984 and 1987 manifestos. The period preceding the enactment of the Resource Management Act 1991 was marked at the international level by the Brundtland report produced by the World Commission on Environment and Development in 1987, which discussed issues of sustainable use of resources and promoted the need for sustainable development policies. As Sachs (1999) puts it, this was a remarkable shift from development being seen as inflicting injuries on people and nature to it being understood as a therapy for injuries.

The Resource Management Act 1991 was also motivated by wanting to pull together a collection of inconsistent statutes in relation to the use of resources. In the periods preceding the Resource Management Act 1991 (especially in the 1970s and 80s) there was increasing frustration expressed by interest groups while seeking consents for various activities. The Resource Management Act 1991 focuses on the regulation of the impact of human activities on the environment rather than regulating the activities per se. It is the first time that an eco-centric view was to co-exist with an anthropocentric consideration. The question has now changed and can be posed in terms of which of nature's services are indispensable for further development. Or the other way around: which services of nature are dispensable or can be substituted by, for example, new materials or genetic engineering? Nature then becomes a capital good for ecological economists (Sachs, 1999). Central government supposedly took a neutral stance between these views and empowered both local and regional governments to make these decisions.

The Resource Management Act 1991 is interpreted by some as a political compromise between the environmental movement and development lobby groups; though some environment movements still consider that sustainable development is conservation of development rather than conservation of nature. Furthermore, although the importance of public participation is well recognised in Resource Management Act 1991, financial constraints affect the level of participation and have only recently been provided for in terms of assistance available from the Ministry for the Environment's legal aid fund. Quite often the participatory process is compromised due to lack of funds.

An illustrative example is a Planning Tribunal case involving the environmental impacts of the fast ferry service across Cook Strait (Save the Sounds-Stop the Wash and Te

Atiawa v NZ Rail Ltd and Sea shuttles (NZ) Ltd and Marlborough District Council (W40/95)). Although the objectors to the fast ferry had prima facie access to the judicial system, the lack of financial resources was obviously apparent in the evidence called to support their case and the legal resources generally available (Wooley, 1996). This example has some similarities to western development ideas that are deeply embedded in social Darwinism where the powerful survive and the poor, powerless and the weak perish.

Iwi Management Planning is another typical example of a similar problem. The Resource Management Act 1991, in an attempt to increase Maori participation in the decision-making processes, requires councils to have regard to Iwi views when preparing regional or district plans. However, Iwi are not given adequate resources to do so, therefore cannot induce meaningful participation by a community in environmental resource planning.

While RMA is mainly land based and not directly concerned with sea, it provides a model for marine reserve management, particularly in terms of procedures for public interests and assessment of any resource management activities in the area such as discharges, structure disturbance of the foreshore and the seabed. It does not however influence decision-making on setting up reserves and is therefore not discussed further in this research.

The Role of the Department of Conservation

As mentioned above, New Zealand experienced fundamental reforms in the 1980s. The political scene was dominated by "new right" reformers and environmentalist who saw the need to bring changes in the way the environment was managed. A working party chaired by the state commissioner, and including an interdepartmental committee together with some non-government members was given the mission of producing a report on the state of the Environment on all aspects.

In 1985, this working party identified two main gaps in relation to environmental management:

- Absence of a single strong advocate for the care of the environment and for the balance in the way the nation uses the totality of its resources and
- Non-existence of a single strong advocate for the preservation of what is naturally or historically important.

The Ministry for the Environment together with the Department of Conservation were then created to fill these gaps respectively.

The new Department of Conservation was given a mission of promotion and advocacy for conservation. The functions of the Department of Conservation are set out in Section 6 of the Conservation Act (1987). These functions include:

- To manage land for conservation purposes,
- To promote the benefits of conservation to present and future generations and
- To advocate the conservation of natural and historic resources generally.

The Department of Conservation takes a proactive role in relation to the marine reserve proposals. The department has proposed seven out of the sixteen marine reserves that are currently established (McCallum, 2003). It also provides support to marine reserve applicants.

The advocacy role relates to work outside the Department of Conservation estate. This role has been ambiguous since the very beginning and needs to be clarified and strengthened (Auckland Regional Authority, 1987). According to Federated Farmers (1987) it should only be exercised on crown estate and not have any regulatory intervention on privately owned property. While there is less confusion on where the advocacy function should be exercised, knowing when and how this advocacy role should be applied is open to a subjective interpretation.

The legislation is intended to enable the carrying out of various functions, rather than requiring it as a duty to do so. In other words this is discretionary. Wade (1995, p. 331) argues that it is:

"A fundamental rule for the exercise of discretionary power is that discretion must be brought to bear on every case: each one must be considered on its own merits and decided as the public interest requires."

According to Wade, the Department of Conservation should listen to the public's views before making any decision that will affect the communities. In relation to marine reserves, this has been a contentious issue even today as clearly stated by the Recreational Fishing Council (31/3/2003):

"The establishment of marine reserves around the country is now taking place in a climate of local resentment because of the refusal of the Minister and Department to take any notice of recreational fishing views, let alone that of the fishing industry".

The challenge for the Department of Conservation is to find a balance between regard for community interests and the establishment of conservation initiatives, especially when conservation is its main objective and communities are often seen to impact negatively on the environment.

Is it Preservation or Sustainable Management?

The Conservation Act (1987) has the overarching goal of:

"The preservation and protection of natural resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations".

The preservation and protection of natural and historic resources as an overarching goal of the Conservation Act (1987) sets conservation apart from other human activities. While from a development perspective, human activity is seen as an integral part of sustainable management and of managing people as part of a functioning ecosystem.

The majority of New Zealanders (85%) live in towns and cities (Ministry for the Environment, 1997) removed from day-to-day contact with functioning native ecosystems. Urban-based environment movements put pressure on the rural population to preserve what has always been harvested by their ancestors for generation. Conceptually, under these preservation ideals, native species that cannot be harvested, no longer have an obvious economic value to the rural community. Loss of livelihoods

and conflicting interests result in local communities adopting a negative view of the purpose of conservation.

In the early days of the Resource Management Act 1991, the Department of Conservation's general policy was to focus its advocacy efforts to influencing the contents of regional policy statements. This action within a statutory framework was seen as a cost effective means of protecting and promoting conservation values rather than lodging objections to individual applications (Department of Conservation, 1991).

From Advocacy to Encouraging Participation

To date, the Department of Conservation's obligations for its work in establishing and managing marine reserves stem from the Marine Reserve Act 1971 and the New Zealand Biodiversity Strategy 2000 which gives the Department a double mission of playing a key role and becoming a leading agency in helping achieve the strategy's priority objectives for coastal and marine biodiversity.

After several disagreements with local communities, the popularity of the Department of Conservation' staff decreased even further. This motivated the Department to adjust its way of dealing with conservation issues and to adopt a more open approach. The unpopularity of these government officials was particularly apparent when Hahei was declared a marine reserve. Wolfenden (1994) explains that despite the diverging views amongst those in favour of this proposed reserve and those opposed to it, the uniting factor was their apparent distrust and dislike of government officials as prime movers. It was apparent that although the Department of Conservation was not openly applying for a marine reserve at Hahei, the general public knew that the Department was the driving force behind the proposal. It was time for the Department to adopt a new approach.

In the Department of Conservation official reports, advocacy, which was interpreted by many as carrying a "confrontational gene", has been replaced by partnership and staff have been encouraged to have an understanding and flexible approach especially when dealing with tangata whenua (Department of Conservation, 2001).

In recent times there has been a shift from advocacy to participation. This may have been partially influenced by the Convention on Biological Diversity ratified by the New Zealand government, which affirms that there will be biodiversity benefits (Furze et al, 1996) only when the social, cultural and economic wellbeing of indigenous and local people are guaranteed.

The recent history of New Zealand shows that over the last 30 years, through re-interpretation of the Treaty of Waitangi, Maori have played an increasingly important role in decisions affecting natural resources. Section 4 of the Conservation Act for instance requires the Department of Conservation to "give effect to the principle of the Treaty of Waitangi". Furthermore, the strategy document for working more closely with Maori in the 21st century developed by the Department of Conservation sets out several useful measures for improving consultation and co-operation with Maori and states that it will engage in management partnerships with Maori where appropriate (Department of Conservation, 1996).

While in the beginning, an informal partnership was encouraged between the Department and Iwi, a more formal relationship is now recognised which draws on the Treaty principles. It is explained in the document put out by the Department of Conservation under the title of: A Conservation Partnership Toolbox (Department of Conservation, 2001).

In practical terms, some agreement has been reached between the two Treaty partners for joint control over marine resources like the harvesting of natural resources such as whale bone (Roberts, 1991), titi or mutton birds (Lyver & Moller, 1999) and traditional fishing grounds also known as taiapure (Te Puni Kokiri, 1993).

In New Zealand there are two views about who should be responsible for conservation: those who assert that the only way of reaching a long lasting conservation effort is to have the Department of Conservation control the natural resources and those who believe that the kaitiaki should stay with Maori. This topic is under discussion in parliament, at marae, features in the media, but it is outside the scope of this research

While an effort has been made to involve iwi in the management of natural resources in New Zealand, very little time has been spent to analyse ways of expanding this management style to the wider community. This should be addressed because as indicated in chapter 1 the notion of community is not solely limited to one portion of the population.

Co-management in New Zealand

The concept of co-management was originally devised as a means of reconciling the competing imperatives of ecosystem protection and indigenous rights and cultural heritage. It later expanded to include the ecological perspective with local, social and cultural perspectives.

Co-management has been widely utilized by different organisations working in the community. The approach demands that responsibility for management is shared and resident stakeholders are empowered to participate actively. If applied assiduously, this approach has the benefit of reducing the social impact of conservation, but also improves the capacity of managers to meet conservation and other objectives therefore recognising the cultural and biological diversity. This is particularly vital because local people are more likely to work towards a solution if they own the problem.

This resource management style has been successfully applied in Australia especially for the case of Kakadu National Park in the Northern Territory (Lane, 2001). After a long period characterised by conflicts between indigenous peoples and government agencies over the establishment of protected areas, it was decided to adopt a co management system known as joint management.

Marine Reserves Establishment Guidelines Vs Development Principles

The Department of Conservation has prepared a document explaining the steps that must be followed while applying for a marine reserve. These guidelines are divided into the statutory requirement and non-statutory process.

While in development, a true participatory approach is the key to the success of any initiative, the Department of Conservation has suggested that it is the responsibility of

the applicant to define objectives and form a team. Objectives defined by the applicant will only reflect the vision and interest of those proposing the reserve and will be less likely to encompass the aspirations of the wider community whose future will be affected. Moreover, the formation of a team by the applicant before the stakeholders are identified could be seen as a way of avoiding those who have a vested interest in the marine proposal and are likely to object to it.

Under the terms of the statutory requirement, the Director General of Conservation forwards the submissions to the Minister of Conservation who will ultimately make the decision on whether or not a marine reserve should be established. Given that under the provisions of the Conservation Act 1987, the Department is the administrator of the conservation estate and assumes the role of conservation, it seems unlikely that a proposal whose purpose is the conservation of a given resource will not get the blessing from a minister who has a statutory responsibility for the management of coastal marine area. The Minister of Conservation clearly echoed this statement: "I am passionate about marine reserves. They are a win for everyone: fishers, the public, marine species and local communities. The creation of more marine protected areas is my top priority this year as the Minister of Conservation" (Carter, 2003).

The new Marine Reserves Bill, which allows for proposed reserves to be established with the consideration of the Minister of Conservation without seeking concurrence from the ministers of transport and fisheries as stipulated in the Marine Reserve Act 1971 may even see the minister's role become even more powerful. This may have a negative impact on the groups who have an interest in the marine resources and lead to further conflict.

Partly as a result of international political pressure, the New Zealand government has put a greater emphasis on conservation matters and has put in place the mechanisms and guidelines for environmental management. However, improvements are necessary so that the community can be included in these initiatives. The case of the proposed Taputeranga Marine Reserve discussed in detail in the following chapters will examine this issue through the analysis of the objections to the proposal.

Chapter 6 Taputeranga Proposed Marine Reserve

Rather than giving a full account of the history of the marine reserve proposal, this section of the research takes a retrospective look at some of the key circumstances surrounding the conception of the proposal. It is an introductory section to the following chapters analysing the submissions on the Taputeranga marine reserve proposal.

Documents are not simply a neutral artefact from the past. Sometimes what people decide to record, to leave in or take out is informed by the decisions which relate to the social, political and economic environment of which they are part (May, 2001). Hence, a reminder of the Constitution governing the applicant is mentioned in this chapter. This helps understand the content of various documents produced by the applicant.

Historical and Cultural Significance of Island Bay and Environs

The south coast of Wellington is an area characterised by rugged terrain. The coastline features rocky shores intermingled with steeply sloping beaches of gravel and sand.

The first documented human settlement to the Wellington South coast area seems to cause some disagreement between authors. One point authors seem to agree on is that prior to the 19th century, the only settlements that existed were temporary. These were used while gathering seasonal kai moana.

According to the Maori oral tradition, the earliest known inhabitants of Wellington Harbour and adjoining coastline were Waitaha known to archaeologists as Moa Hunters. Other migrant groups are believed to have followed. These include Te Tini o Orutu and Ngati Mamoe, who lived in Hawkes Bay with another early tribe Tini o Awa. Whatonga, captain of the voyaging canoe Kurahaupo arrived in Hawkes Bay to later settle in the Wellington region and named the area Whanganui a Tara after his first son. Over time, more tribes moved from the Gisborne and East Coast area to Wellington. (South Coast Marine Reserve Coalition & Royal Forest and Bird Protection Society, 2000).

The early nineteenth century brought bloody wars between a coalition of different tribes from Taranaki (Ngati Tama, Ngati Matunga and Te Ati Awa) and Waikato (Nga Puhi and Ngati Toa) over Te Whanganui-a-Tara who had already settled in the Wellington region. After this coalition of northern tribes won the war against Te Whanganui-a – Tara due to their military superiority, both Ngati Toa and Te Ati Awa established themselves in the Wellington Area. It seems to be around these times that the first European ships were spotted sailing through Cook Strait.

Around the turn of the nineteenth century, non-Maori people settled in the Island Bay-south Coast area. Traditionally, Wellington's fishermen were predominantly Italians and Shetland Islanders. While early fishermen in the Wellington region chose to settle in Eastbourne, Island Bay gained its popularity because of its good and safe fishing spots well protected from North West winds. This resulted in the fishing community moving from Eastbourne to Island Bay (South Coast Marine Reserve Coalition & Royal Forest and Bird Protection Society, 2000).

Background of the Taputeranga Marine Reserve

In the late 1980s, the newly created Department of Conservation started investigating the feasibility of establishing a marine reserve in the Wellington area. The preferred choice was the south coast of the city around Island Bay. At the same time their attention was focussed on Kapiti area. With Kapiti Island's conservation status as a sanctuary for birds, it seemed sensible for the sea adjacent to the land reserve to be afforded protection also.

According to the Department of Conservation, the Wellington South Coast was up for consideration as a marine reserve around the same time as Kapiti, the latter of which was initiated first. Due to large funding cuts to the Department around 1990 one of the proposals had to be dropped. As the Kapiti proposal was just about complete, it was decided to drop the south coast proposal at this time.

Soon after, the Forest and Bird Society took an interest in the Department of Conservation's idea of creating a marine reserve and initiated the South Coast Marine Reserve Coalition, which started developing a proposal for the reserve.

Conservation status

The site proposed for establishment of a marine reserve is presented as an area of ecological significance and has the potential to recover to its original state. The applicant asserts that the area is made of rugged headlands, rocky shores, steep gravel and sand beaches that are a perfect home for an array of plants and animals alike. Moreover it is also believed that the three different currents bring together a unique mixture of species from warm and cold waters.

Scientific Research

Similar to Cape Rodney Okari Point Marine Reserve, the scientific aspect of the area was launched by Victoria University of Wellington with the establishment of the marine laboratory. This was captured in the statement by the vice chancellor of the Victoria University of Wellington, Les Holbrow: "Victoria University of Wellington has a fundamental interest in the development of a marine reserve in Wellington for its value to the University and the general community as an educational and research resource" (South Coast Marine Reserve Coalition, 2000). This has become even more significant now as Victoria University is preparing to expand its current marine laboratory to conduct more research and to increase its use as an educational tool.

The proposed site is also in close proximity to the National Institute for Water and Atmospheric Research Ltd (NIWA), Te Papa and other institutions whose constitutions have a scientific component. There is a growing interest from these institutions for more research in the area.

However there is no indication that with the absence of a marine reserve, the scientific research would not be happening as corroborated by one submission: "the area does not need to be preserved for the purpose of scientific study because study is occurring without such protection." Furthermore, the areas adjacent to the proposed site have been declared scientific reserve long before the current proposal was even thought of. Red Rocks and Sinclair Head were declared scientific reserves respectively in 1972 and 1983.

The South Coast Marine Reserve Coalition

The local branch of the Royal Forest and Bird Protection Society initiated the South Coast Marine Reserve Coalition, who became the applicant for Taputeranga Marine Reserve. Despite being made up of other pro-marine reserves groups, such as commercial diver operators, local residents and research institutions in the eyes of the public it was very much driven by the Forest and Bird Society. This perception surfaced in many submissions as explained in chapter 7.

Victoria University of Wellington, whose marine laboratory is adjacent to the proposed site, has been instrumental as well. Other organisations who were likely to benefit from the marine reserve once established were invited to join the coalition too. These were mainly the commercial diver operators and local residents. It is important to note however that some of the members of the coalition withdrew after a period of time and joined the opposition bench. This is discussed further in detail in chapter 8.

The applicant asserted that the main reason for formally applying for a marine reserve on the South Coast of Wellington was to afford protection to that part of the sea where marine life can be totally undisturbed for scientific study, but which remains accessible to the public to explore and enjoy.

Constitution of the Royal Forest and Bird Protection Society

The Royal Forest and Bird Protection Society is the oldest and largest national conservation organisation in New Zealand. It was created in 1923. The constitution of the society provides that the society's main objectives shall be; "to take all reasonable steps within the power of the Society for the preservation and protection of the indigenous flora and fauna and natural features of New Zealand, for the benefit of the public including future generations" (clause 2(a)). Without affecting the generality of the main objectives, the society's ancillary objectives are stated to include:

i.   To spread knowledge and encourage appreciation of our native flora and fauna, their aesthetic, scientific, cultural and recreational values.

ii.   To educate the public of all age groups regarding the importance and urgent need for protection of these natural resources.

iii.   To meet the vital need to conserve the environment free from pollution.

iv.　　To advocate the protection of indigenous species, their habitats and ecosystems.

v.　　To advocate the creation and the preservation of protected natural areas, reserves and National Parks in public ownership and/or control.

vi.　　To establish and administer reserves and sanctuaries for the preservation of New Zealand's indigenous ecosystems.

vii.　　To advocate the destruction of introduced species harmful to New Zealand's flora and fauna.

The Forest and Bird Society has over the years been instrumental in many successful conservation initiatives. However, some of these initiatives have incurred community opposition who have labelled the organisation as proposing radical changes based on preservative theories with little or no concern to the local people.

Process Undertaken by the Applicant

In order to stay in line with the Marine Reserve Act, a series of contacts with groups, individuals and authorities started in the early to mid 1990s. Right from the very beginning, not all individuals, groups or authorities contacted were supportive of the idea. Even the local authorities were questioning whether all the conditions of the Act had been met.

They were concerned that all the issues should be resolved before the applicant could lodge a formal application. The Wellington City Council expressed concerns about depriving the fishing community of their source of income and enjoyment. While the Wellington Regional Council (now known as the Greater Wellington Regional Council) was in support of a marine reserve in principle, its concern was two fold:

-　　Insufficient consultation with key stakeholders, chiefly Ngati Toa Rangatira and

-　　Potential complications for a response to an oil spill in the vicinity of the reserve due to its proximity to the traffic line to and from the South Island.

The applicant asserts through surveys conducted in 1991, 1994 and 1996 that during the consultation process the proposal received high-level support from local residents (South Coast Marine Reserve Coalition& The Royal Forest and Protection Society, 2000). These surveys also measured the level of support for different sites and

boundary scenarios, so that the applicant was able to produce an application for the marine reserve.

In 1991 the Coalition conducted a survey in Island Bay and Houghton Bay to gauge the level of support for the idea of creating a marine reserve. They distributed 3200 survey forms, and received a 6.8% response rate. Of the 220 people who responded to the survey, 90% supported the idea of creating a marine reserve in the proposed area (South Coast Marine Reserve Coalition and Royal Forest and Bird Protection Society, 2000). According to the statistics available at statistics New Zealand (www.stats.govt.nz), Island Bay suburb alone has over 6000 residents.

The survey was delivered in the mail as an insert of the Cook Strait newspaper, which from time to time is considered by many residents as "junk mail" or "unsolicited mail". Furthermore, one copy per household does not give the chance for all adults to express their views on the project at hand.

Additional surveys conducted in 1994 and 1996 reveal similar results: poor responses which are not representative of the community, but which appear to show a reasonable level of support. Likewise, in 1997 a postal survey targeting the business community on the South Coast also recorded a 40% rate of support.

According to the report produced by the applicant, they had identified and 'consulted' with four main groups: the general public, coastal users, tangata whenua and stakeholders. In consulting with Tangata Whenua, the applicants chose to consult with representatives from Te Ati Awa and the board of the Wellington Tenths Trust, but not with Ngati Toa.

A series of consultations followed with several stakeholder groups, taking the form of numerous informal meetings, some public meetings and the distribution of published consultation documents. Feedback was received from this, but few alterations were made to the proposal.

In 1999, the final consultation document was produced and distributed to nine main stakeholders identified by the Coalition: Wellington Tenths Trust, Wellington

Recreational Marine Fisher's Association (Inc), Wellington International Airport Limited, Anglian Water International Ltd, Department of Conservation, Minister of Conservation, Wellington City Council, Wellington Regional Council and New Zealand Seafood Industry Council. Feedback was sought in writing at this stage.

It appears that the consultations have either favoured government departments or big organisations with financial capabilities while neglecting grass root organisations like local residents associations and primary schools whose link to the area is fundamentally important.

Process Undertaken by the Decision Maker

The Marine Reserve Act 1971 requires the Department of Conservation to prepare a report to be presented to the Minister of Conservation so that the Minister can judge whether it is necessary to uphold the objections based on the five main considerations. In other words the decision of the Minister takes into consideration whether the proposed marine reserve would:

- Interfere unduly with any estate or interest in land or adjoining the proposed marine reserve
- Interfere unduly with any existing rights of navigation;
- Interfere unduly with commercial fishing;
- Interfere unduly with or adversely affect any existing usage of the area for recreational purposes;
- Or otherwise be contrary to the public interest. (Department of Conservation, 1994)

In the report written in 2001 by the Department of Conservation to the Minister, Department of Conservation officials made a distinction between Opposed, Supportive, Conditional Support and Neutral and did not count late submissions for the purpose of legislative requirements. The recommendation from the Department of Conservation to the Minister was not to uphold the community objections.

At the time of producing this report the Minister of Conservation has recommended that Taputeranga Marine Reserve should be established, but as required by the Marine

Reserve Act, it is still waiting approval from the Minister of Fisheries. Ngati Toa is currently undergoing legal action to stop this conservation initiative.

For the purpose of this research, the author revisited the objections which followed the Taputeranga Marine Reserve application from a community development perspective and analysed the findings.

Chapter 7 Stakeholder Analysis of Objections to the Proposed Marine Reserve

In order to understand the nature of community opposition to Taputeranga Marine Reserve proposal a stakeholder analysis was undertaken to review the submissions, identify stakeholders and organise their concerns into categories.

The Submissions

This research has only analysed submissions in opposition to the proposed marine reserve. 1293 submissions were received in total. This includes the 28 late submissions that the Department of Conservation did not consider. For the purpose of this research those who gave conditional support were included in the objections category because they still opposed this proposal as presented. Therefore, 635 objections were considered. All objections were read and from these, fourteen stakeholder groups were identified. For each stakeholder group, all submissions were analysed except where the stakeholder group was larger than ten percent of the total population in which case, sixty-four objections from the group were analysed. In total, 231 submissions with detailed comments were selected for analysis.

It is important to reiterate that only the objections were included in this research. Therefore not all stakeholders and stakeholder interests relating to the proposed marine reserve have been identified and discussed.

Many objections came as form-letters and it was difficult to know whether these people made an informed choice about their objections. Quite often those form-letters were simply signed with no indication of the stakeholder's real interest in the proposed marine reserve. Such form-letters were excluded from analysis. All the objections in the selected sample set were letters, reports, or form-letters that had interests clearly stated.

Mode of Analysis of the Submissions in Opposition

Submissions were analysed using the World Bank Stakeholder Analysis model. The Bank has been involved in community conservation projects that have multiple

stakeholders and it is the largest single source of development assistance finance for forest conservation and development around the world (World Bank, 2002). The World Bank uses this stakeholder analysis model and the formulation of participation strategies to ensure a smooth running of various projects.

The model employed by the World Bank is useful for this exercise, given that many stakeholders in this New Zealand project have written submissions expressing different interests for opposing the proposed marine reserve. This model will help to gain a good understanding of the nature of the objections. For the purpose of this study, the author applied analytical tools to identify key stakeholders, assess their interests and the ways in which these interests could hamper the success of a marine reserve in the proposed site.

Table 1: Identification of Stakeholder Groups, their Interests, Importance and Influence outlines a stakeholder analysis of the proposed marine reserve. From left to right, the first table concentrates on:
- The stakeholder's identification;
- Listing their corresponding interests, in other words their concerns,
- Recording how often the concerns were raised;
- Documenting the perceived impact of the proposed marine on each of these interests
- Evaluating the level of importance and the degree of influence of different stakeholders.

Table 1: Identification of Stakeholder Groups, their Interests, Importance and Influence

Stakeholder groups (Number of submissions per group)	Interest specific to the marine reserve	Frequency	Perceived Effect			Stakeholders' Importance	Stakeholders' Influence
			-	0	+	U=unknown 1=negligible 2=some importance 3=moderate importance 4=very important 5=critical player	U=unknown 1=negligible 2=some influence 3=moderate influence 4=significant influence 5=very influential
Commercial Fishing group (15)	Challenging conservation value	1	-			5	4
	Commercial fishing income	1	-				
	Commercial fishing rights	1	-				
	Questioning the content of proposal	1	-				
	Safety	2	-				
	Suggest alternative marine management	3	-				
	Suggest alternative site	2	-				
Commercial Interest, individual (19)	Access	9	-			5	4
	Act under review	1	-				
	Challenging conservation value	9	-				
	Challenging consultation process	3	-				
	Challenging meeting definition of marine reserve	5	-				
	Challenging national interest	7	-				
	Challenging scientific value	6	-				
	Commercial fishing income	7	-				
	Commercial fishing rights	7	-				
	Interference with estate	5	-				
	Lack of alternative fishing grounds	3	-				
	Longstanding fishing tradition	1	-				

Stakeholder groups (Number of submissions per group)	Interest specific to the marine reserve	Frequency	Perceived Effect	Stakeholders' Importance	Stakeholders' Influence
Commercial Interest, individual cont	Questioning the content of proposal	1	-		
	Recreational activities	12	-		
	Safety	13	-		
	Suggest alternative marine management	3	-		
	Suggest alternative site	2	-		
Environmentalist (7)	Access	1	-		
	Act under review	1	-		
	Challenging applicant's motives	2	-		
	Challenging benefits to local community	1	-		
	Challenging conservation value	2	-		
	Challenging consultation process	4	-		
	Challenging meeting definition of marine reserve	2	-		
	Challenging national interest	2	-		
	Challenging scientific value	2	-	1	2
	Commercial fishing income	2	-		
	Food source	1	-		
	Interference with estate	1	-		
	Longstanding fishing tradition	3	-		
	Questioning the content of proposal	1	-		
	Recreational activities	3	-		
	Safety	1	-		
	Suggest alternative marine management	2	-		
	Suggest alternative site	4			

Stakeholder groups (Number of submissions per group)	Interest specific to the marine reserve	Frequency	Perceived Effect	Stakeholders' Importance	Stakeholders' Influence
Ex-coalition member cont	Safety	1	-		
Italian Group (2)	Challenging conservation value	1	-	1	1
	Longstanding fishing tradition	2	-		
	Recreational activities	1	-		
	Safety	1	-		
	Suggest alternative marine management	1	-		
	Suggest alternative site	1	-		
Italian, individual (6)	Access	2	-	1	1
	Access to beach	1	-		
	Challenging applicant's motive	2	-		
	Challenging benefits to local community	1	-		
	Challenging conservation value	4	-		
	Challenging meeting definition of marine reserve	2	-		
	Challenging national interest	4	-		
	Challenging scientific value	2	-		
	Interference with estate	1	-		
	Longstanding fishing tradition	3	-		
	Recreational activities	3	-		
	Safety	6	-		
	Suggest alternative marine management	1	-		
	Suggest alternative site	1	-		
Local Resident, Individual (64)	Access	10	-	4	2
	Access to beach	16	-		
	Act under review	12	-		
	Affordable leisure activities	9	-		
	Challenging applicant's motive	5	-		
	Challenging benefits to local community	18	-		
	Challenging conservation value	14	-		

Stakeholder groups (Number of submissions per group)	Interest specific to the marine reserve	Frequency	Perceived Effect	Stakeholders' Importance	Stakeholders' Influence
Local Resident, Individual cont	Challenging consultation process	15	-		
	Challenging meeting definition of marine reserve	5	-		
	Challenging scientific value	6	-		
	Customary rights	5	-		
	Interference with estate	6	-		
	Longstanding fishing tradition	14	-		
	Questioning the content of proposal	6	-		
	Recreational activities	38	-		
	Safety	23	-		
	Suggest alternative marine management	11	-		
	Suggest alternative site	23	-		
Maori Group (2)	Challenging conservation value	1	-		
	Challenging consultation process	2	-	4	5
	Customary rights	1	-		
	Suggest alternative marine management	1	-		
Maori, individual (8)	Access	1	-		
	Act under review	6	-		
	Challenging consultation process	6	-		
	Challenging national interest	6	-		
	Customary rights	6	-		
	Food source	3	-	4	5
	Longstanding fishing tradition	5	-		
	Recreational activities	2	-		
	Safety	1	-		
	Suggest alternative marine management	1	-		
	Suggest alternative site	2	-		
Petition (2000 signatures) (1)	Access to beach	1	-	4	3
	Recreational activities	1	-		

Stakeholder groups (Number of submissions per group)	Interest specific to the marine reserve	Frequency	Perceived Effect	Stakeholders' Importance	Stakeholders' Influence
Recreational user, groups (3)	Access	1	-	3	2
	Challenging applicant's motive	1	-		
	Challenging benefits to local community	2	-		
	Challenging conservation value	1	-		
	Challenging consultation process	1	-		
	Challenging meeting definition of marine reserve	2	-		
	Challenging scientific value	2	-		
	Recreational activities	2	-		
	Safety	2	-		
	Suggest alternative site	2	-		
Recreational user, non-adjacent (64)	Access	40	-	2	2
	Access to beach	2	-		
	Act under review	1	-		
	Affordable leisure activities	7	-		
	Challenging applicant's motive	4	-		
	Challenging conservation value	14	-		
	Challenging consultation process	8	-		
	Challenging meeting definition of marine reserve	28	-		
	Challenging national interest	30	-		
	Challenging scientific value	28	-		
	Food source	1	-		
	Interference with estate	12	-		
	Longstanding fishing tradition	2	-		
	Recreational activities	54	-		
	Safety	43	-		
	Suggest alternative marine management	13	-		
	Suggest alternative site	7	-		

Stakeholder groups (Number of submissions per group)	Interest specific to the marine reserve	Frequency	Perceived Effect	Stakeholders' Importance	Stakeholders' Influence
Residents Association (3)	Access	2	-	3	3
	Access to beach	1	-		
	Act under review	3	-		
	Challenging conservation value	1	-		
	Challenging consultation process	2	-		
	Challenging meeting definition of marine reserve	1	-		
	Challenging scientific value	1	-		
	Commercial fishing income	1	-		
	Customary rights	1	-		
	Longstanding fishing tradition	1	-		
	Questioning the content of proposal	1	-		
	Recreational activities	3	-		
	Safety	2	-		
	Suggest alternative marine management	3	-		
	Suggest alternative site	1	-		
Wellington resident, non adjacent (46)	Access	9	-	3	2
	Access to beach	1	-		
	Act under review	32	-		
	Challenging conservation value	7	-		
	Challenging consultation process	32	-		
	Challenging meeting definition of marine reserve	3	-		
	Challenging national interest	37	-		
	Challenging scientific value	34	-		
	Commercial fishing income	1	-		
	Food source	4	-		
	Interference with estate	1	-		
	Longstanding fishing tradition	40	-		

Stakeholder groups (Number of submissions per group)	Interest specific to the marine reserve	Frequency	Perceived Effect	Stakeholders' Importance	Stakeholders' Influence
Wellington resident, non adjacent cont	Questioning the content of proposal	1	-		
	Recreational activities	12	-		
	Safety	9	-		
	Suggest alternative marine management	5	-		
	Suggest alternative site	3			

Source: Adapted from World Bank (1998) Participation and Social Assessment: Tools and Techniques. Washington, D.C: World Bank

Stakeholder Groups

All the submissions were divided into stakeholder groups, or 'communities' that shared common interest. The groups were classified according to their sense of community. Not all people who made a submission fitted exclusively into one stakeholder group, so a set of priorities was developed to classify the stakeholders.

This set of priorities is listed in Figure 1 "Stakeholder Classification". The first priority was given to ethnic background where it was specifically mentioned, because of the historic and cultural ties of certain ethnic groups with the area. Second priority was given to those who had commercial interests in the project because their livelihood would, to some extent, depend on the outcome of the proposal. The environmentalists comprised the next group as they are supposed to be concerned with the moral relations that hold between humans and the natural world. The fourth priority was allocated to those who lived locally as they could be affected by this marine reserve on a daily basis. The recreational users who regularly visit the proposed site for their own enjoyment and relaxation form the next group. Lastly there were the Wellington residents who did not live adjacent to the site and who did not clearly state for which purposes they use the proposed site. The petition was put separately because of the probable multiple backgrounds.

The aim was to classify the stakeholders as they identified themselves. This is why stakeholders such as Italian individuals, environmentalist and ex-coalition members were identified, but did not appear in the Department of Conservation statistical classification of submissions.

Figure 1 Stakeholder Classification
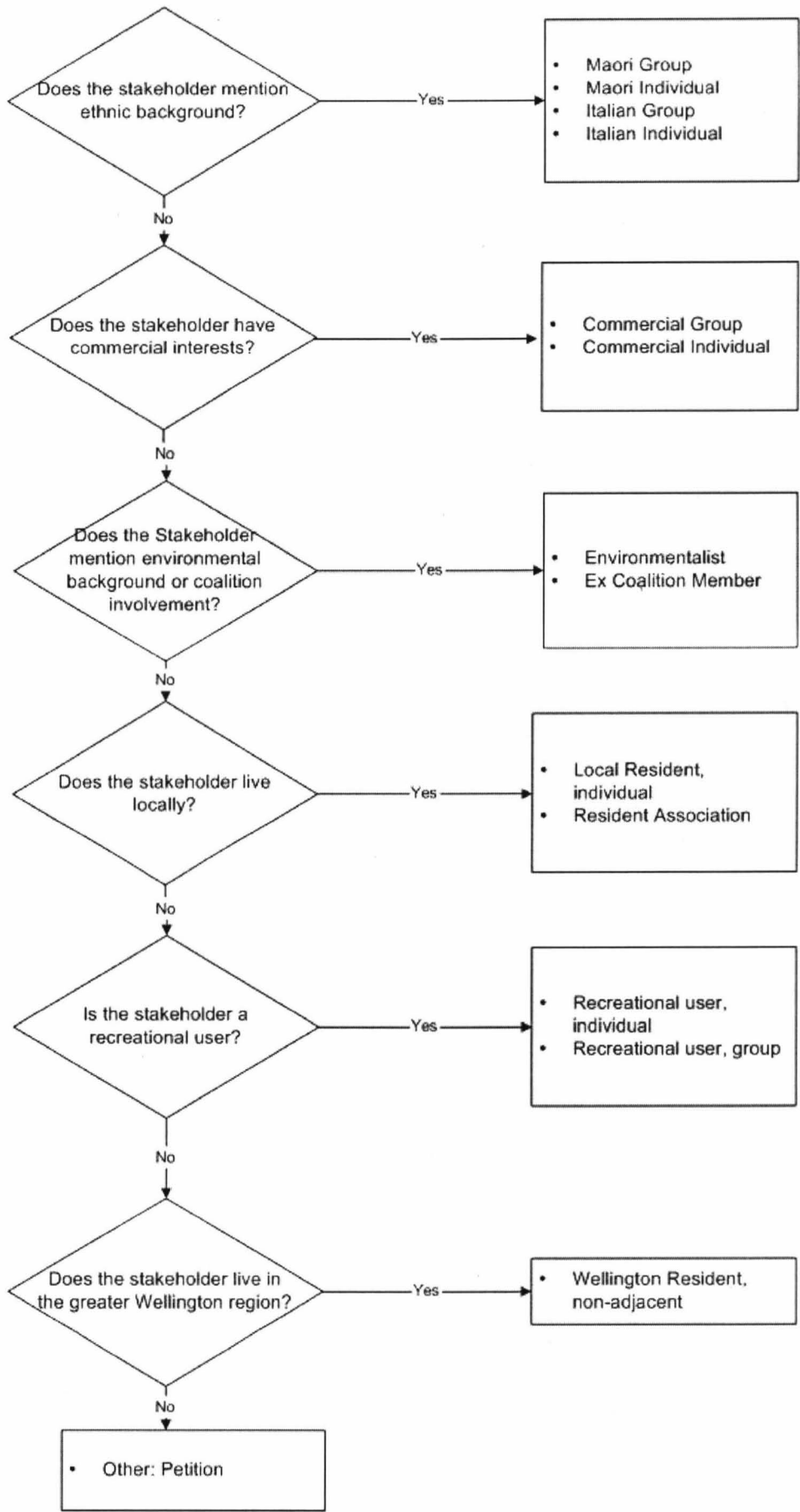
Stakeholder Interests

Twenty-three different stakeholder interests were identified in the submissions.
Normally each interest identified is either impacted on positively or negatively. As the
research only included the objections, all perceived effects on these interests were
negative. Following is a brief explanation of each of the stakeholder's interests as
identified in Table 1.

Access

This relates to actual access to the water, including right of navigation. Some
stakeholders in particular mentioned that the proposed site is easily accessible on foot or
by public transport, unlike other such sites in Wellington.

Access to beach

Those stakeholders who identified this as their concern perceive that the establishment
of a marine reserve will prevent them from having access to the waterfront area mainly
for recreational purposes. They gave such examples as building sand castles, fossicking
in the rocks, etc.

Act under review

Many stakeholders who raised this issue implied that the applicant should have waited
for the outcome of the current review of the Marine Reserve Act, as they expected rules
governing Marine Reserves to change. Many stakeholders perceived that proposing a
Marine Reserve at a time when the Act was under review was deceitful.

Affordable leisure activities

Some stakeholders use the proposed site for the low-cost recreational activities it offers.
Parts of the proposed site are easily accessible without a four-wheel drive, which many
people cannot afford. Furthermore, the recreational activities here were compared to
alternative leisure activities like the movies for which one would need to pay.
Therefore the initiative of establishing a reserve was perceived by those who raised this
issue to be excluding people of lower socio-economic backgrounds from their leisure
activities.

Challenging applicant's motive

The opponents to the proposal were not convinced that the applicant was really concerned about the community's wellbeing. Some even qualify them as "spin doctors". The objectors suspect that the applicant's underlying motive is the idea that exploiting natural resources is morally wrong; therefore there is a need to repair the damage done to the area for the "feel good factor".

Challenging benefits to local community

The objectors asserted that, rather than being beneficial to the community, the proposed marine reserve would have the potential to divide the community. Furthermore, they argue that the site is a common meeting place for families and other community members. Those stakeholders perceived that this would not continue if the Marine Reserve were established.

Challenging conservation value

The people who raised this objection did not foresee a marine reserve as a panacea for marine conservation in the area. They challenged the applicant to prove that by declaring the area a no go area, the gain would outweigh the community loss. For example in one of their submissions, the fishing industry considered that:

> "Arguments about the beneficial effects of marine reserves on fisheries are imported from overseas jurisdictions where fisheries are essentially unmanaged and fishing practices are unsustainable. These arguments do not apply in New Zealand where fisheries are managed sustainable under the Quota Management System. The QMS already sets catch limits well above the level at which each stock can replenish itself.
> Introducing extensive closed areas into an already sustainable QMS will simply displace effort into other areas and result in sustainability risks and increased conflicts between users".

Many mentioned that New Zealand's entire Economic Exclusive Zone (EEZ) is already a marine protected area in relation to fishing effects, by virtue of the Quota Management System and environmental provisions of the Fisheries Act.

Challenging consultation process

Submitters maintained that the consultation process was neither sufficient nor effective. Stakeholders felt that they had been insufficiently notified of the proposal and had not been consulted appropriately about its content.

Challenging meeting definition of marine reserve

Some individuals and groups submitted that the proposal did not meet the definition of marine reserve as stipulated in the Marine Reserve Act.

Challenging national interest

Those who raised this concern were convinced that declaring a marine reserve would not fulfil national interest as stated in the Marine Reserve Act.

Challenging scientific value

This issué is two fold. On one hand, those who raised this issue in their submission maintained that the scientific aspect attached to the area was overstated. In their view, the area was the least typical of natural south coast environment, because it is the most affected by human activities. The opponents of the idea of a marine reserve in the area argued that with a heavily used road running the whole length of the area, discharging noise and pollution from traffic, the site is far from being suitable for any scientific research.

On the other hand, scientific activities have been going on for many years without any marine reserve established in the area. Thus, having a reserve should not alter the work undertaken by the scientific community already.

Commercial fishing income

The objectors to the marine reserve expressed their fear of loosing their livelihood. Some commercial fishers use this area for catching a certain species of fish using trawling techniques. They would not be able to continue these techniques easily at another site.

Commercial fishing rights

There are some individuals and groups who have the right to extract fish from the proposed area. This group firmly believe that it is their right to continue doing what they are entitled to do now.

Customary rights

Some stakeholders believe that establishing a marine reserve will override the rights of Maori, particularly iwi who claim the manawhenua of the area.

Food source

Some objectors asserted that the area has always been a place where people who cannot afford to buy fish from the market can access seafood, therefore meeting their nutritional requirement.

Interference with estate

This opposition stems from the fact that increased visitors will place a high demand on parking in the area if the reserve is declared. It is perceived by these opponents that people will be less attracted to live in such congested areas, therefore real estate in the area will be in less demand.

Lack of alternative fishing grounds

It is widely believed that the area has always been a good fishing spot with plentiful fish. Other locations in the area are either unsafe or are not well stocked.

Longstanding fishing tradition

People who live in Island Bay have historically used the area for fishing. They were concerned that the establishment of a marine reserve would put an end to this fishing tradition.

Questioning the content of proposal

Some submitters asserted assert that the protagonists of the reserve come from the basis of "fishing does untold damage so let's set up a marine reserve" and then sought to find some justification for such a reserve. Most opponents to the marine reserve in the area were under the impression that the content of the proposal lacked coherent themes. This

can be summed up by the view of one objector who wrote: "it is a hotchpotch of material with no strong unifying theme and is frequently self-contradictory".

Recreational activities

Fishing activities were the concerns of those who fear that once the marine reserve is established, they will lose the most enjoyable activity on the south coast of Wellington. They go as far as saying that it is the only suitable site for these activities in the Wellington region.

Safety

The waters of the proposed marine reserve are widely considered to be the most sheltered in the Wellington region mainly for small boat fishers. The objectors make the comparison that usually any project on land that puts people's lives at risk, is against the law and the same should apply to marine reserves.

Suggest alternative marine management

These opponents suggested alternative ways to manage the flora and fauna in this marine reserve. They did not see any value in creating a marine reserve in an area where the weather patterns do not allow overfishing. Some suggestions included well co-ordinated marine management by the authority (i.e. law enforcement) or a marine park as more appropriate at this site.

Suggest alternative site

This issue was not a concern, but rather a suggestion put forward by those opposed to the marine reserve at this particular site. They proposed other areas that are less appealing and useful to the communities. This could be seen as NIMBY ("Not in my backyard") syndrome. This suggestion was often put forward to alleviate such concerns as safety, access to alternative sites and other interests as identified above. It is important to note that the people who made this suggestion were not opposed to a marine reserve per sé.
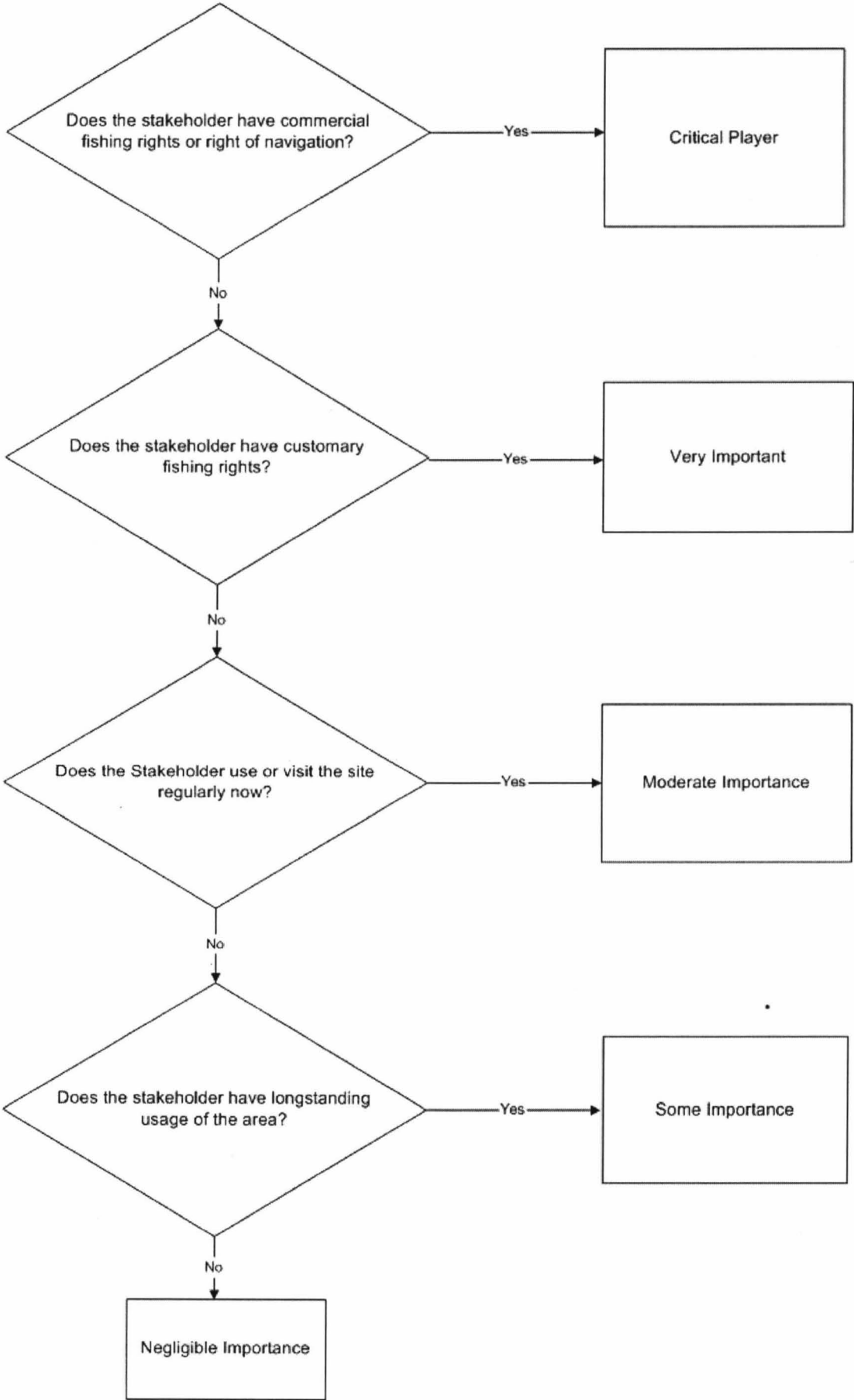
Importance of Stakeholder Group for Success of Marine Reserve

The importance of a stakeholder group is measured by the likely impact that the group will have on the success of the marine reserve once it is established. Importance indicates the priority that should be given to satisfying stakeholders' needs and interests in relation to the proposed marine reserve, so that they will observe the rules governing the reserve with respect. Again, to decide the importance of the Stakeholder for the success of the marine reserve a decision tree was used as indicated in Figure 2. Decision Tree- Stakeholder Importance.

The criteria included:

1. Does the stakeholder group have commercial fishing rights or right of navigation? This is particularly important because people whose income derives from fishing in the area will quickly feel the changes once the marine reserve is established. If they are not offered alternative options, the "no-take" that the marine reserve portrays will be compromised.

2. Does the stakeholder group have customary fishing rights? Given that Maori are well known for their fishing traditions, which has been recognised in the Treaty of Waitangi, it is essential that those who belong to this category be rehabilitated in their rights.

3. Does the stakeholder group use or visit the site regularly now? Any impact to a marine reserve is likely to be caused by those who visit the area regularly and who disrespect its new status.

4. Does the stakeholder group have longstanding usage of the area? Those who have always used the area for various reasons are likely to have some impact on the marine reserve.

Figure 2 Decision Tree Stakeholder Importance

```
        ◇ Does the stakeholder have commercial        ──Yes──▶  ┌──────────────────┐
          fishing rights or right of navigation?                │  Critical Player │
                    │                                           └──────────────────┘
                    No
                    │
                    ▼
        ◇ Does the stakeholder have customary         ──Yes──▶  ┌──────────────────┐
          fishing rights?                                       │  Very Important  │
                    │                                           └──────────────────┘
                    No
                    │
                    ▼
        ◇ Does the Stakeholder use or visit the site  ──Yes──▶  ┌──────────────────┐
          regularly now?                                        │ Moderate Importance│
                    │                                           └──────────────────┘
                    No
                    │
                    ▼
        ◇ Does the stakeholder have longstanding      ──Yes──▶  ┌──────────────────┐
          usage of the area?                                    │  Some Importance │
                    │                                           └──────────────────┘
                    No
                    │
                    ▼
          ┌──────────────────────┐
          │ Negligible Importance│
          └──────────────────────┘
```

## Degree of Influence of Stakeholder group over the Marine Reserve

Influence is the power that stakeholders could have over the proposed marine reserve, to control what decisions will be made. The influence can also be understood as the extent to which groups or individuals are able to persuade others into making decisions and following certain courses of action. Thus a series of interrogations are posed to get an insight on the degree of influence. As illustrated in Figure 3, the influence of stakeholder groups on the decision to establish the marine reserve were analysed.

The degree of a stakeholder's influence was based on four considerations:

1. Does the Crown have any legal obligation to the stakeholder group in relation to the establishment of this marine reserve? In this particular case, the only stakeholder groups with this status are Maori individual and Maori Groups.

2. Does the stakeholder group directly influence those authorities that are the decision makers over the establishment of the marine reserve (i.e. Minister of Conservation, Minister of Fisheries, Minister of Transport, Governor general)? These groups include Commercial Interests individual, Commercial Fishing Groups.

3. Does the Stakeholder group represent a large proportion of the total number of objections received? If so, they could easily sway the decision makers one-way or the other not due to their status but because of their large numbers.

4. Is this stakeholder group likely to influence the opinion of other stakeholders?

An attempt to make sense of the wealth of information contained in the submissions and the possible risks these objections can pose to the outcome of the project are discussed in chapter 8.

Figure 3. Decision Tree Stakeholder Influence

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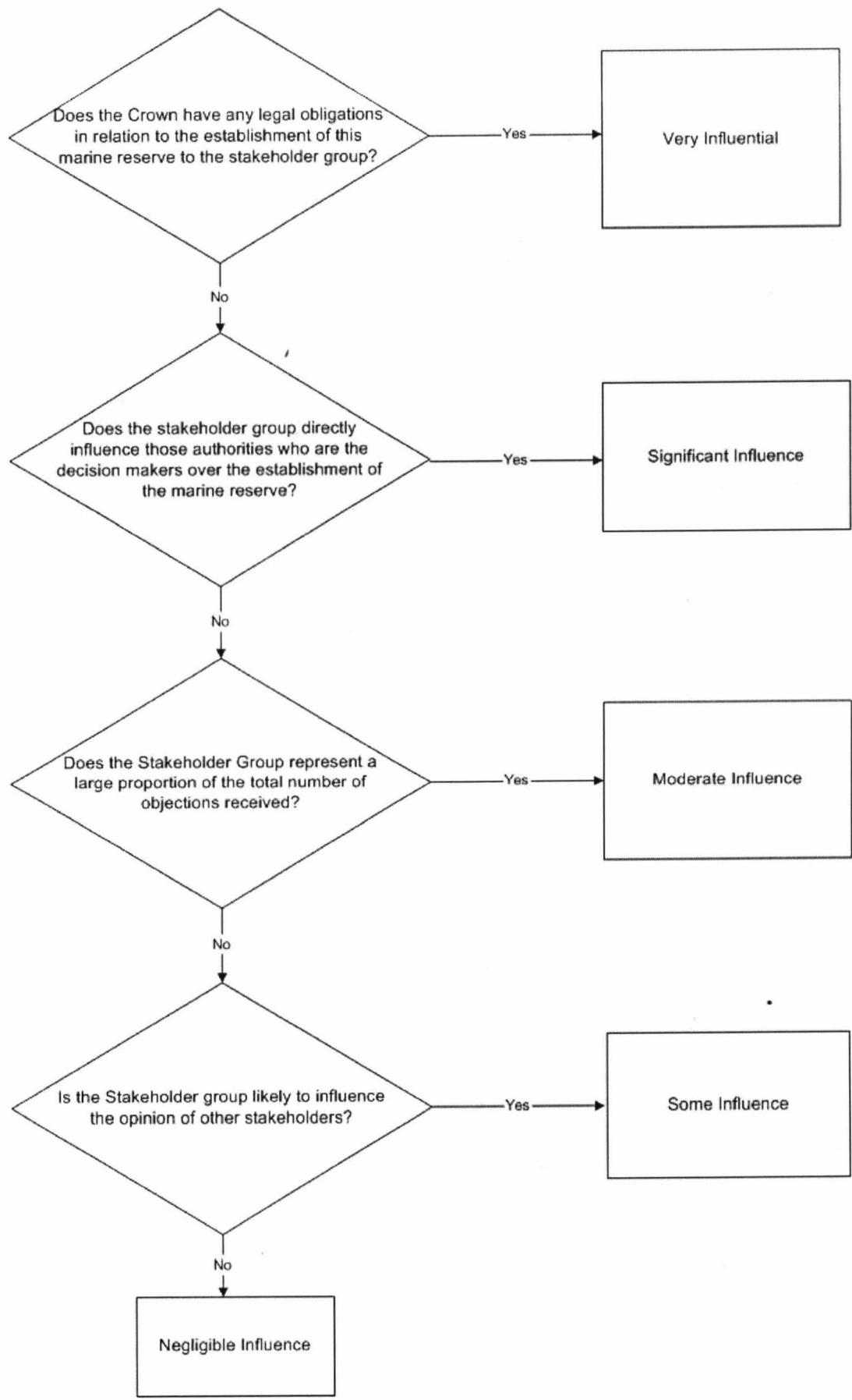
Chapter 8 Discussion of the findings

The purpose of this chapter is to understand the meaning of the objections to the proposal of Taputeranga marine Reserve, so that in the future community support for similar projects can be increased. This is such an important matter because the current government (at the time of writing this research) made it an objective that ten percent of New Zealand Coastline will be afforded a marine reserve status by the year 2010. Checking whether the Minister of Conservation has upheld the objections to the establishment of a marine reserve on the south coast of Wellington, is outside the scope of this thesis.

In order to provide a broad view, four steps have guided the author in this chapter:
1. The interests as indicated in chapter 7 are examined and some common themes are determined.
2. The interests are divided into different categories and their implications are discussed.
3. A table detailing the importance and influence of each stakeholder group as indicated in chapter 7 is analysed and discussed in detail.
4. Key characteristics of each stakeholder group are then identified, based on analyses of their status and their interests.

Throughout the analysis of the results, consideration of human action as an interpretive science in search for meaning not in search of law is employed. In this particular section, the focus is placed on explaining the meaning of what was found in chapter 7. The explanation of these conceptual meanings is subject to the author's interpretation with reference to the prevailing literature on this subject.

Marine Reserve Establishment Process

As mentioned in the introduction, the author only examines the non-statutory part of the process for developing a proposal and the statutory process of making a formal application up to the stage when public notification is made of the application of the marine reserve. Following is an outline of some of the issues that arose during this process.

Preliminary Surveys

At first glance, statistics derived from the surveys conducted by the applicant convey the impression that the community supported the establishment of a marine reserve. However, a deeper analysis of these statistics reveal that the support of the marine reserve idea arising from those surveys was not as overwhelming as the applicant asserts.

As discussed in chapter 6, only a small proportion of the population was given the opportunity to provide feedback on the proposal and many of these did not even take that opportunity. It could be argued that many people were either not interested in the issue or the forms did not reach them. James (1991) suggests that lack of information, time and cost involved, the inability to organise and mobilize people and general apathy and resignation are some of the reasons why people choose not to participate. Whatever the case may be, the aim of the survey was not achieved: to record people's attitudes towards the establishment of a marine reserve in the proposed area.

These surveys are not representative enough to warrant the conclusion that the communities support the establishment of a marine reserve on the Wellington South Coast. This could be corroborated by the fact that once the proposal was formally lodged, a petition bearing 2000 signatures expressed very strong opposition from the community.

Petition

This petition was counted by the Department of Conservation as only one submission. From a community perspective, the petition could be interpreted as an attempt to combine their efforts so that they could strongly voice their opposition to the idea of a marine reserve. However, its effect was completely lost when the Department treated it as one single submission and thereby discounted its political significance in terms of the number of people in the community expressing that view.

For the purpose of this research, the petition was treated as representing the voice of a separate stakeholder group because of the number of people who signed it. This

allowed points raised in the petition to be carefully analysed. Two main issues set this "stakeholder group" apart from others:

First, this stakeholder group cannot be easily identified at the start of a project, because they come from a wide variety of backgrounds and only become a stakeholder group once the petition is signed.

Second, rather than a stakeholder group, a petition should be treated as a risk that can be identified and managed as the application process progresses. The challenge is to avoid the situation.

The applicant needs to formulate strategies to avoid petitions all together, rather than dealing with petitions once they are signed. Therefore, people should be dealt with according to the needs of their own stakeholder group and when this has been done effectively the likelihood that they will organise a petition will be reduced.

Consultation with Iwi

Despite the applicant's claim that iwi groups were consulted, it appears that Ngati Toa was not included. It is evident that the applicant was aware of the relationship that exists between Ngati Toa and Te Ati Awa, the two Maori tribes who claim the manawhenua of the proposed area. The applicant knew that both tribes had claimed a stake in the area as evidenced in the marine reserve application: "the area in which the reserve is situated falls within the boundaries of the rohe claimed by Te Ati Awa and Ngati Toa" (South Coast Marine Reserve Coalition and Royal Forest and Bird Protection Society, 2000, p 19). But the reason for excluding Ngati Toa is not explained.

While the decision not to include Ngati Toa may have been made to avoid any unnecessary opposition, this strategy might have contributed to the loss of the applicant's credibility. This highlights that the applicant ignored the advice from the Department of Conservation to consult both tribes and also did not take into account the settlement history of the area. Moreover, the applicant failed to recognise some elements of Maori worldview (briefly discussed in Chapter 2) in relation to the sense of

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belonging not necessarily corresponding to the current geographical boundaries of a given tribe.

Interests

In this research all interests of objectors have been considered. From a development perspective all concerns raised by the community are valid regardless of whether they are recognised under the Marine Reserve Act 1971 as legitimate reasons for objecting to a Marine Reserve. By dealing with all of the interests and particularly those that directly impact on the stakeholders, a proposal is more likely to gain full support from its stakeholders. It is particularly important to gain an understanding of the motives that lie behind those interests. This is the only way to include each stakeholder group and interest in formulating an appropriate strategy.

A variety of interests were raised in the objections, many of which were repeated by more than one stakeholder group. The interests were classified into four categories of recurring themes as set out in Figure 4. The categories were based on the Marine Reserve Act 1971and the community well being.

Some interests were raised that were actually unfounded or rather, incorrectly perceived by the submitters. The majority of interests raised had a direct effect on the stakeholders, while others referred to clauses in the Marine Reserve Act. The remainder of the interests questioned the proposal as a whole or the consultation process itself.

Figure 4. Reclassification of Interests

Direct effect	Integrity of the proposal	The proposal meeting the requirement of the Marine Reserve Act	Incorrectly perceived
- Access - Affordable leisure activities - Challenging benefits to local community - Commercial fishing income - Commercial fishing rights - Customary rights - Interference with estate - Lack of alternative fishing grounds - Long standing fishing tradition - Recreational activities - Safety	- Challenging the applicant motive - Challenging consultation process - Questioning the content of the proposal - Suggest alternative marine management - Suggest alternative site	- Challenging conservation value - Challenging meeting definition of marine reserve - Challenging national interest - Challenging scientific value	- Access to beach - Act under review

Figure 5. "Interest Type by Stakeholder Group indicates the type of interest raised by each stakeholder group as a percentage of their total interests. It highlights how important each type of interest was to each stakeholder group.

Figure 5. Interest Type by Stakeholder Group

Legend: Direct Effect ☐ Incorrectly Perceived ☐ Integrity of Proposal ☐ Requirements of Act
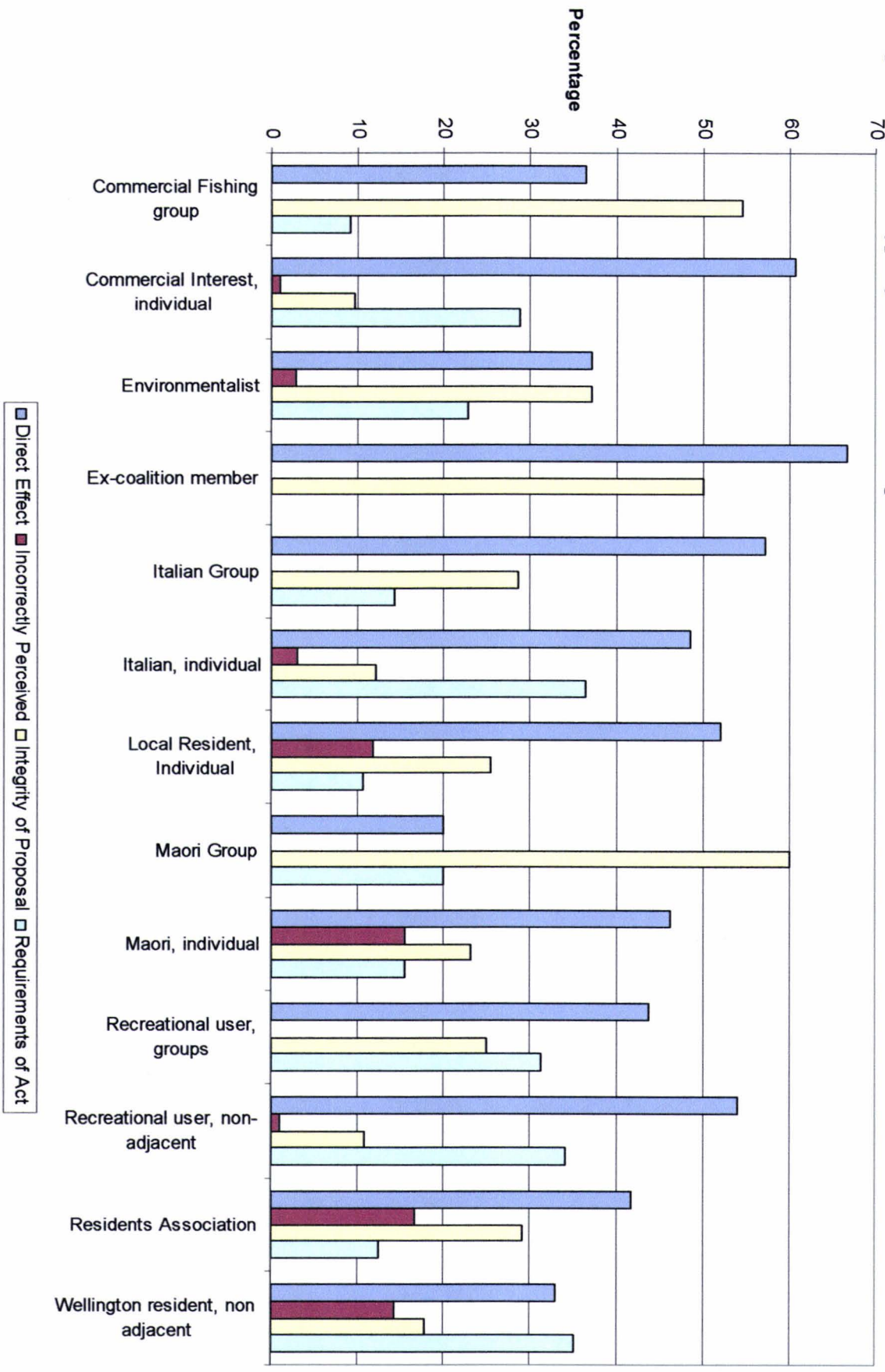
Direct Effect on the Stakeholders

Figure 5 shows that the greatest range of concerns raised directly affects the community. Some have income related consequences. They primarily affect the groups who claim that their livelihood will be compromised once the marine reserve is established. Others will negatively affect certain community groups socially or even interfere with their cultural identity. The challenge is to achieve a balance between the ecological concerns of conservation and the socio-economic and equity concerns of the people affected.

Many stakeholder groups had concerns about the effects of Marine Reserve on recreational activities. Twelve stakeholder groups were worried about the high risk of losing recreational activities. Safety was a second main concern. These two concerns are inseparable. Those who are interested in recreational activities are the same ones who will fear for their safety once these activities are banned in this particular area and they have to find alternative less safe sites to take part in these activities.

Many stakeholder groups noted that the Marine Reserve would have adverse effects on commercial fishing rights and commercial fishing income. However, less than forty percent of each stakeholder group were individuals. It could then be argued that the area is not an exclusive source of income for many people; rather, the area is used mainly for recreational purposes. This is corroborated by the fact that twelve out of fourteen stakeholder groups expressed recreational activities as their main concerns.

In order to take into account interests listed under "Direct Effects", stakeholder groups need to have greater input into finding the solutions to these problems. Without their input into the proposal for the marine reserve, the community is not likely to respect this project once it has been established and is likely to compromise its success. Community based conservation initiatives have shown that, if the community is encouraged to find their own solutions, they will take greater ownership in the project.

Integrity of the Proposal

Several concerns raised by the stakeholders seemed to indicate a lack of trust in the applicant and the proposal resulting in both dissatisfaction with the consultation process and the content of the proposal. Suspicions about the real motive of the applicant, and

suggestions for alternative marine management tools or sites, which had not been included in the proposal, were expressed.

Integrity of the proposal was a concern of all stakeholder groups and for most groups it comprised at least ten percent of the total interests raised. This applicant should see this as a grave concern because its integrity, and consequently this proposal, and future proposals are at a great risk.

As indicated in figure 5, both the Maori groups and commercial interest groups rate the integrity of the proposal as their main concern. These two groups may perceive that the applicant has 'a hidden agenda' and even the so-called consultation was a means to satisfy the requirement of the Marine Reserve Act rather than a genuine desire for input from community groups. This is why in the eyes of the Maori groups at least the applicant conducted a selective consultation.

These types of concerns could have been avoided with a more effective consultation process, including a stakeholder analysis. The applicant needs to strengthen its relationships with the community and provide stakeholders with the opportunity to have greater input into the proposal.

Proposal Meeting the Requirements of the Act

All of the interest raised in this category relate directly to the requirements for a marine reserve as listed in the Marine Reserve Act. No stakeholder group raised these interests on their own, but submissions always included it in conjunction with other types of interests. It represented more than thirty percent of the total concerns raised by Italian individuals, recreational user groups and Recreational user non-adjacent. For them, it was the second most important concern after "direct effect".

A question emerges of why the public feels it necessary to point out the legal requirements of the Marine Reserve Act to the authorities , who are well versed in this piece of legislation. Lack of trust in the authorities to make an unbiased and fair decision regarding the establishment of the marine reserve may provide an explanation.

In the stakeholder group "Wellington resident non-adjacent", 32 out of 46 individuals mentioned "Act under Review" as one of their concerns. This group in particular focused on the legal side of this proposal. They rejected the proposal on the grounds that the project does not comply with the requirements of the Act. Since this stakeholder group is unable to prove that it will be affected directly in any other way, challenging the legal aspect of the application appears to be their strongest argument.

It could be argued that stakeholders were already opposed to the idea of a marine reserve in the South Coast area, before they thought about or checked the content of the Act to back up their submission in opposition. This would imply that most of the interests raised in this category are "additional excuses", which can be satisfied once all other interests have been dealt with.

Incorrectly Perceived Interests

Some of the concerns raised were perceived incorrectly, namely "Access to the Beach" and "Act under Review". Given that there is no clause in the Act that stops or discourages people from accessing the beach, this concern has been labelled: "incorrectly perceived". Similarly, whether the Act is under review or not, this does not have any bearing on the proposal under consideration simply because the current Marine Reserve Act 1971 still applies.

Section 3 (2) (d) of the Marine Reserve Act 1971 states: "the public shall have freedom of access and entry to the reserves, so that they may enjoy in full measure the opportunity to study, observe and record marine life in its natural habitat". In other words, people are encouraged to access the beach and enjoy what the marine reserve has to offer. Either those stakeholders who raised this concern were unaware that access would not be denied or they were misinformed. Either way, some stakeholders were not well versed on access matters about marine reserves.

"Act under review" was a concern raised by seven stakeholder groups, even though that review is not relevant to this proposal, as the outcome of the review does not affect this proposal in any way. Some stakeholders may have opposed the idea of having a marine reserve in the chosen site in order to delay the initiative so that the Marine Reserve Act

review would include some clauses or stop the establishment of a marine reserve on the Wellington South Coast completely.

The two main stakeholder groups who raised concerns about: Act under review and Access to the beach, are the Petition and the Resident Association groups. In both these cases individuals are not expressing personal reactions; rather other people make decisions for them. It could be argued that the more people involved in making a decision the greater the influence on certain members within that group. It is then difficult to gauge how meaningful the concerns are and most importantly whether these concerns reflect the views of those who signed the petition.

The concern that the Act was under review was expressed by 75% of Maori individuals. In a period when Maori rights are being rehabilitated, each piece of legislation must reflect the Treaty of Waitangi, thereby recognising the unique role that tangata whenua play in the important decisions affecting natural resources. By mentioning the "Act under Review", Maori individuals may have been expecting an increase in their rights under the new Act. When the Act was passed in 1971, only Maori rights mentioned are in the section on who can apply for a reserve. In fact, the Marine Reserve Act 1971 pre-dates legal and policy developments whereby the Crown has sought to give much better recognition to its obligations to Maori in order to meet its obligations under the Treaty of Waitangi, as explained in Chapter 5.

For those stakeholders for whom the incorrectly perceived interests raised are relatively high the interest related to the requirements of the Act are relatively low. This may indicate that these stakeholders have little knowledge of the rules and regulations about establishing a marine reserve.

Those stakeholder groups concerned about "Act under Review" and "Access to the beach" reflect inadequate information. This clearly signals a matter of education, for which the applicant needs to take responsibility. Appropriate strategy needs to be formulated to increase the flow of correct information to the stakeholders, so that these concerns can be eliminated.

Stakeholders

Once the stakeholders have been identified, the applicant needs to evaluate the importance and influence for each stakeholder group. This exercise highlights the potential risks to a project if a stakeholder's interests are compromised. Important and influential stakeholders need to be determined and treated accordingly.

Classification of Stakeholders in Clusters

When Influence and Importance are combined in one figure, relative risks posed by stakeholders are identifiable and assessable. As illustrated in Figure 7, stakeholders form four different clusters, which highlight several scenarios:

1. Stakeholders of high importance and high influence
2. Stakeholders of high importance, but with low influence.
3. Stakeholders of low importance, but high influence, and
4. Stakeholders of low importance and low influence.

The stakeholders in each of these four clusters share some characteristics and require similar strategies to deal with them effectively while still recognising the individuality of each stakeholder group. This information, along with other findings highlighted in this chapter and throughout the research, will contribute to formulating appropriate recommendations to deal with stakeholder concerns.

Figure 7. Classification of stakeholders in clusters

Influence of Stakeholder	Importance of outcome to Stakeholder					
	Unknown	Negligible	Some importance	Moderate importance	Very Important	Critical player
Unknown						
Negligible		Italian group Italian individual				
Some Influence		Environmentalist Ex-coalition member	Recreational user non adjacent	Recreational user groups Wellington resident (non adjacent to proposed site) individual	Local resident, individual	
Moderate Influence				Residents association	Petition	
Significant Influence						Commercial Fishing Group Commercial Interest Individual
Very Influential					Maori group Maori individual	

Source: Adapted from World Bank (1998) Participation and Social Assessment: Tools and Techniques. Washington, D.C: World Bank

Stakeholders of High Importance and High Influence

These stakeholders have a high degree of influence on the project, and are also crucial for its success. A good strategy that aims at safeguarding the interest of this stakeholder group is critical because the project's success is dependent on this group. It is vital that these stakeholder groups must not only be consulted but also become partners in the project at hand.

'Maori Individual' and 'Maori Groups' represent the most influential stakeholders in this category while Commercial Fishing Group and Commercial Interest Individual represent the most important stakeholders in this group. Figure 5 shows that for these stakeholder groups the consultation process and the integrity of the proposal are the major issues. This dysfunctional relationship with these stakeholders could have been avoided with some carefully planned strategies to work in collaboration with them from the early stages of this project.

Within this cluster a number of stakeholder groups made group submissions. These are Maori Group, Commercial Fishing Group, Recreational User Group, petition and resident association. The problem with group submissions is that they do not necessarily accurately reflect the interests of each individual within that group due to the difficulty of including every member's opinion in such a submission. Groups also tend to have a hierarchical structure, which needs to be respected. Appropriate strategies need to be developed to deal with the special character of groups.

Recreational Users Non-Adjacent to the proposed marine reserve could harm the marine reserve once established particularly because they are high users of the area. Moreover, they could influence the decision makers regarding the decision to create the marine reserve. As their name suggests they are really concerned that access to the waters will be denied to them once a marine reserve is declared. They assert that the area does not represent any conservation value therefore denying them access will not enhance its conservation status.

Residents Association Groups could potentially influence the decision makers. Having an already well-established structure implies that they are in a position of power. They are an important group because they could jeopardise the smooth running of the marine

reserve once it is established by rallying the residents not to obey the rules set up to protect the marine reserve. Even if the marine reserve was well policed, local communities must accept and contribute to the conservation initiative for a successful outcome. This is only possible if their concerns are taken into account and their input sought.

Recreational User Groups and the Wellington Resident Non Adjacent are equally important and are both influential. Their strength stems from a long tradition of using the area for recreational purposes. It is unlikely that these activities will cease as soon as the area is gazetted as a marine reserve. Thus a communication strategy to involve these stakeholder groups is crucial.

Stakeholders of Low Importance and High Influence

Stakeholders with high influence are those who can affect the project's outcomes, but whose interests are not the targets of the marine reserve. This implies that the risk of the marine reserve not being established is great but once that stage is passed there will not be a problem, because this stakeholder's interests will not be affected. A strategy needs be developed at an early stage so that the stakeholders that fall in this group are involved right from the beginning of the project.

Environmentalists and Ex-Coalition Members could influence those responsible for making a decision to establish the reserve. These two groups know how the system works and whom to contact. As a 'messenger' they have credibility to those who are opposing the project as both groups are expected to share a similar environmental ethic in relation to marine conservation. However, these two stakeholder groups are unlikely to make a significant impact on the marine reserve once established. Their numbers are small and their activities do not encroach on the environment. Their main concerns are related to the integrity of the proposal. They particularly challenge the consultation process and are very critical of the chosen site.

Stakeholders of High Importance and Low Influence

A special initiative is required to protect these stakeholders' interest otherwise the success of the project will be hampered. However, in the case of Taputeranga Marine Reserve no stakeholder groups were deemed to be in this category.

Stakeholders of Low Importance and Low Influence

The Italian Individual and Italian Group stakeholders are unlikely to have a major influence on those who make the final decision on the establishment of the marine reserve, because they do not have a privileged position in the wider community. Furthermore, their numbers are so low that their activities will not have a significant impact on the marine reserve once it is established.

This means that little attention needs to be paid to the stakeholder groups that fall into this category because their effect on the project; both the decision for the establishment and the management of the reserve will be minimal. Nevertheless, their interests will need to be protected because they are shared with other stakeholders.

The interests voiced by these two stakeholder groups are: safety, access, challenging conservation values, recreational activities, challenging applicant's motive and challenging national interest. These two stakeholder groups raised safety more frequently than any other concern. Given that this issue is real rather than perceived and seems to be mentioned by other stakeholder groups, it needs to be taken into account seriously.

Recreational activities are a concern for both these two groups. Their interests are linked to their long-standing commitment to fishing in this area coupled with the fact that most of them live locally, therefore they find recreational fishing a good pastime activity. Although fish may be caught, the proponents of recreational fishing assert that it is a social experience rather than an economic one. Their take is small and has little impact on the environment, so it should be allowed.

People react to proposed changes differently depending on:
- how they perceive these changes will affect their well being,
- how much they trust the one who initiates the changes or
- how much input they have had in the changes.

Whatever the case maybe, the key to achieving a desired outcome is to assess a stakeholder group's influence and importance so that appropriate involvement of all those who will be affected by the changes can be determined.

Chapter 9 Conclusion and Recommendations

This research has taken the approach that the Marine Reserve Act 1971 is one important part of the decision process to establish a marine reserve, but it is not the 'be all and end all'. From a development perspective, communities and their concerns should be the final decision makers for the establishment of such a reserve. The objections to the proposed Taputeranga Marine Reserve have been analysed accordingly.

Conclusion

The South Coast Marine Reserve Coalition initiated an important conservation project and undertook a lengthy consultation process. However, this process was lacking in the following areas:

- Unsatisfactory identification of stakeholders
- Biased interpretation of preliminary surveys
- Failure to consult with Ngati Toa
- Lack of flexibility in proposal to incorporate community input
- Unfamiliarity of the general public in marine reserve establishment processes.

Many environmental challenges are complex and do not respond well to simple solutions that address only a part of the problem. To resolve them, scientists, communities and policy makers need to seek collaborative approaches that accommodate multiple perspectives and utilise multiple sources of information.

It is important to recognise that in any proposed change to the status quo (whether a development project or a conservation project) there will always be people who object. Such objections are sometimes the results of the following:

- They are benefiting from the status quo and fear that these benefits will cease once the situation changes.
- They are ideologically opposed to the proposed changes.
- They seek to adjust the nature of the change.
- They are misinformed about the proposed changes.

Either way, it is normal and healthy to get some degree of opposition. From a conservation management perspective, the critical issue is whether the degree of opposition is so high that it threatens the success of the changes. Alternatively from a community development perspective, the critical issue is how to plan for these objections by redesigning the proposed changes in order to better accommodate the majority of community interests and thereby spread the benefits more widely. The balance lies in finding solutions that do not so severely curtail the conservation initiative to the degree that the conservation goal becomes unfeasible or unachievable.

In the first instance, the findings suggest that in the quest to increase the support of local communities in establishing conservation priorities, it would be naïve to assume that they have the same views on biodiversity and conservation as scientists and advocates of conservation initiatives. Likewise, it would be unwise to think that all the stakeholders have the same view.

The challenge becomes that of bringing together local aspirations with conservation initiatives, but not substituting one for the other: both need to inform the decision-making processes.

This requires a sincere dialogue between holders of conservation and of local knowledge that acknowledges inherent differences in value systems. A system for managing conservation can then be formulated in a way that not only respects these two sets of values, but also builds on their respective strengths.

Failure to involve the stakeholders suggests not only a lack of respect for these groups, but could even result in the failure of conservation efforts once the marine reserve has been established.

The Department of Conservation is not expected to write strict guidelines for every region, because every region is unique. Strict guidelines would result in a blueprint approach rather than an adaptive approach. For example marine reserves established in an area that is not widely populated (eg Kermadec Islands) have had little or no need for lengthy consultation processes involving communities. Nonetheless, it is vital that stakeholders be identified so that they can have an input. The Department of

Conservation's guidelines should be sufficiently prescriptive to provide clear instructions to applicants as well as be suitably flexible to allow adaptation to each community's unique characteristics.

This thesis set out to develop guidelines for an effective consultation process to increase community support when establishing a marine reserve. Through careful analyses of the submissions opposing the Taputeranga Marine reserve proposal, some crucial steps have been identified. All the recommendations formulated relate to the non-statutory requirements for the Marine Reserve Establishment Process as set out by the Department of Conservation.

All applications for a marine reserve must meet the criteria set out in the Marine Reserve Act 19971 including the requirements for both the natural values of the site and a consideration of the community's interest. It is the balance between these two aspects that constitutes a challenge for a smooth running of a marine reserve.

However in this case study, the information gained from these submissions did not identify strategies that could be used to ensure that the applicant will indeed follow an effective consultation process such as the one suggested in the recommendations. This research has shown that applicants cannot be realistically expected to be well-versed in this process. Who then can the community rely on to ensure that an effective consultation process is conducted?

Is it appropriate for the Department of Conservation to fulfil this role, given that their first priority is the environment and conservation? Will the department be impartial in the consultation process and take genuine concern for community's interests as some of their recent publications would suggest, or will the department be more focussed on achieving the current government's goal to convert ten percent of New Zealand's coast line by the year 2010? Is there a need for a third (independent) party, whose responsibility does not involve resource management to oversee the consultation process?

The answer to these questions cannot be found in the submissions and require further research.

Recommendations for a Community Focussed Approach

These recommendations are based on the specific case of Taputeranga Marine Reserve and are derived from careful analyses of the consultation process undertaken by the applicant and the objections that followed this particular application. Although the recommendations are specific to this case study, they will be of value to achieve positive outcomes for other marine reserve proposals in New Zealand's urban areas, particularly in Wellington.

For a proposal like the Taputeranga Marine Reserve to be successful it is important to include a community-focussed approach to maximise support from stakeholders. An effective consultation process is vital to ensure appropriate levels of communication and participation by all stakeholder groups.

The recommendations are captured in the areas of: Consultation Process, Content of the Proposal. Integrity of the Applicant

Consultation process

The Department of Conservation's current guidelines for the creation of marine reserves specify that before any proposal can be considered, the applicant needs to engage in a non-statutory consultation process. Being a non-statutory requirement, the process is based on the goodwill and good faith of the applicant. At the same time, this is the most crucial part of the marine reserve establishment process if there is to be strong community support for the marine reserve.

It appears that the applicant interpreted the consultation process to mean meeting with a few high profile individuals in the community and canvas their views on ecological benefits of the marine reserve around the South Coast of Wellington. Instead a more effective consultation is characterised by:
- Identification of stakeholders
- Development of consultation framework
- Wide dissemination of information
- Two-way communication

At the early stages of the consultation process an effort has to be made to ensure that all the stakeholders are included. It is important to adopt a proactive approach by identifying and informing identified stakeholders early about the proposal.

When undertaking surveys on how the community feels about the idea of having a marine reserve, care must be taken to ensure that as many people as possible are given the opportunity to voice their opinion on the project in an open ended manner.

Early identification of community interests will help work out the most effective way to reach different stakeholder groups, so that a consultation framework can be developed. Unique characteristics such as geographical location, educational levels and cultural differences need to be taken into account. For example, when consulting with Iwi, it might be necessary to approach kaumatua and ask if it would be appropriate to set up a hui and invite people they suggest. At the same time the applicant must take into account that in most cases women will not be allowed to talk at the marae. Therefore meeting at another suitable location will be appropriate and this way the applicant will also be able to get a feel for what the women think of the initiative. Likewise, the applicant should not bring women to speak at the marae.

The applicant must allow sufficient time for discussion and choose the right time for consultation. It is important to choose a time when there is not much happening either at the local or at the national level that would take the community's attention away from the proposal. Scheduling a consultation process or calling for submissions around the Christmas period means that the response will be poor because people are pre-occupied with other activities.

It is the role of the applicant to obtain and provide sufficient information to allow an informed discussion during the consultation. Accurate and non-ambiguous information is crucial. This will help avoid people lodging non-founded objections. Problems will always arise if the information about the initiative is inadequate.

Given that people who are fundamentally opposed to a conservation initiative may do whatever it takes to spread false information about a conservation project, setting up

public relations desk, hotline or website where people can visit to ask questions, would be a useful way of allowing people to find out more about the proposal in a way that suits them rather than the applicant. This will allow for information to be readily available and it is in line with what is in the Marine Reserve Act 1971 and will seriously show that it is a "matter of national importance".

Promoting internal discussion within each stakeholder group will help them to clarify their concerns and possibly find solutions, which will develop a sense of ownership and comfort in the initiative. This will give the applicant an insight into where the real interests of each stakeholder lie. This is also a way of stopping some people from influencing those who might be less vocal.

It is also important to avoid a one-way communication strategy. Quite often those portraying or promoting environmental protection use an advocacy strategy. The risk with this is that they start from a stand that they need to convince and sell their ideas at all costs, treating their audience as ignorant on the topic and not allowing them to suggest any constructive ideas. By encouraging two-way communication, stakeholders are encouraged to solve their own issues and take ownership of the project.

The only way to ensure that one is on the right track is to constantly seek feedback and input from those who will be affected by the conservation initiative. Obviously this will only be meaningful if there is a willingness of the people to be involved. The willingness has to also come from the group initiating the project. In the case of a marine reserve, the applicant has to be pro active and get the community involved by asking them for their input.

Once feedback has been received and input from various stakeholder groups has been collated, the applicant must be prepared to modify the original project proposal. There is a need to show goodwill to the communities by demonstrating flexibility to amend the original plan, by, for example, relocating the boundaries.

Content of the Proposal

It was raised in submissions that the content of the proposal does require creating a marine reserve. It is therefore important to have an unambiguous content.

It is vital to capture as much information as possible before proceeding to write a Marine Reserve application. The goal should be to identify the maximum benefit derived from the many direct and indirect uses of the components of biological diversity, both within protected areas and outside of them. The information from resource users themselves broadens the base of knowledge necessary for decision making for sustainable use of resources. This, in turn, will give policy-makers the additional information they need to identify the true costs and benefits of particular policy choices.

The management plan should be made available for public comment before a reserve is established, not after. This is one way of showing that the whole process has been thought through. Those groups or individuals concerned about the long-term plan of the area would find an answer. This way some of the issues raised would be eliminated, especially those interest termed "incorrectly perceived" in chapter 8.

Integrity of the Applicant

This research also found that many people in the community believed the Department of Conservation and Forest and Bird Royal Society had a pre-determined agenda when it came to consultation over marine reserves. The way that the applicant has dealt with similar proposals in the past may have influenced the community in this respect. The conflicting information contained in the proposal could be interpreted in the eyes of the public as hiding the real motive of the applicant. This was usually compounded as soon as any proposed boundaries were announced. The applicant was often seen as a group detached from the reality of the local community.

Strategies need to be developed to prove to the stakeholders that they will gain benefits from the marine reserve. One way to do this might be by engaging communities in the design of the project as discussed earlier. Another strategy would be to invite people from areas where a marine reserve has already been established and is being seen as a success to effectively testify or share their experiences. These people could act as "role models". It is important that these people talk to those stakeholders who share similar interests. Inviting community representatives from areas where a marine reserve has

proved successful to share their experience may help convince the opponents that there will be real positive effects on the local communities.

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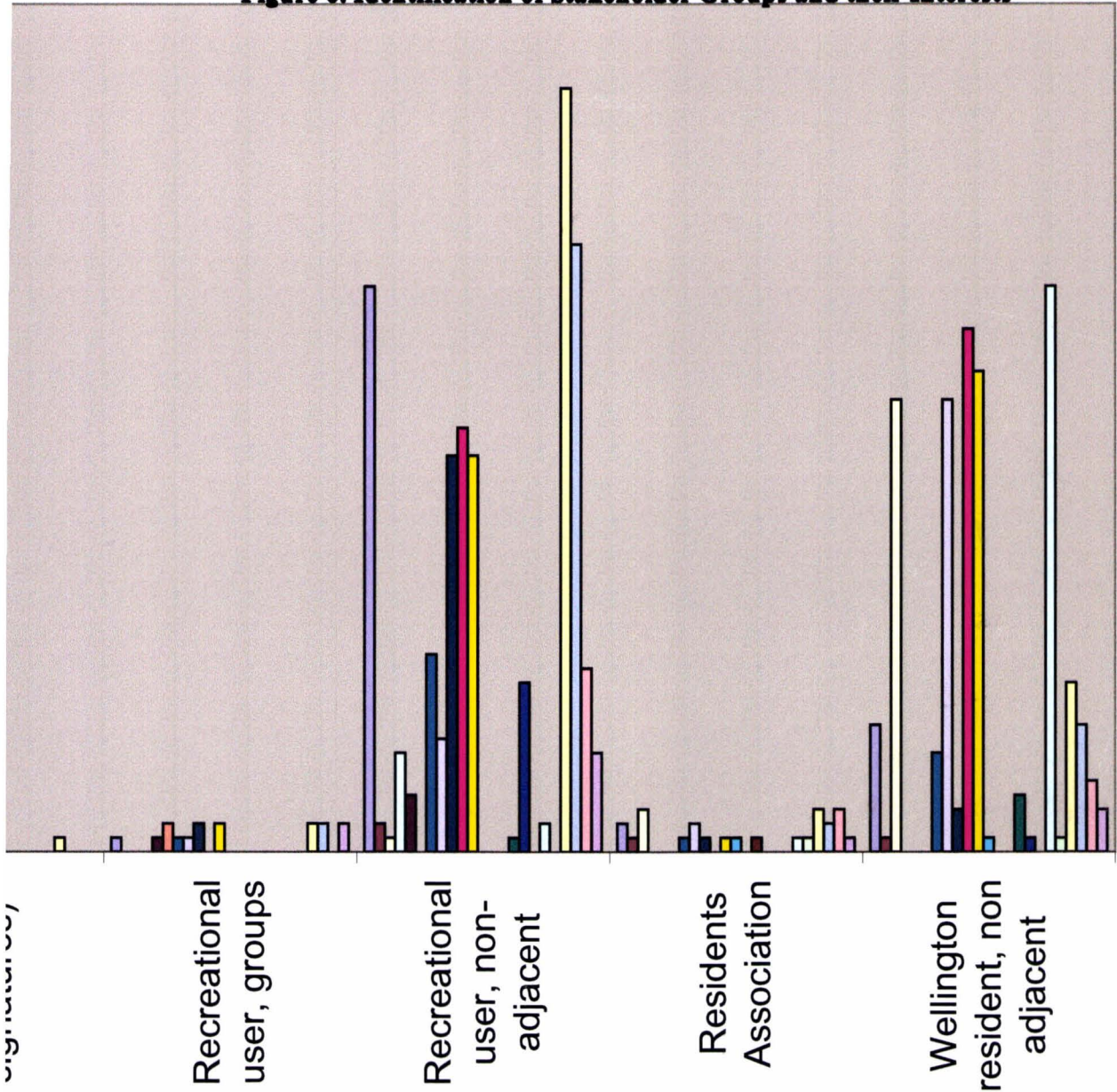Hay, I. (Ed.) (2000). *Qualitative Research Methods in Human Geography.* Oxford: Oxford University Press.

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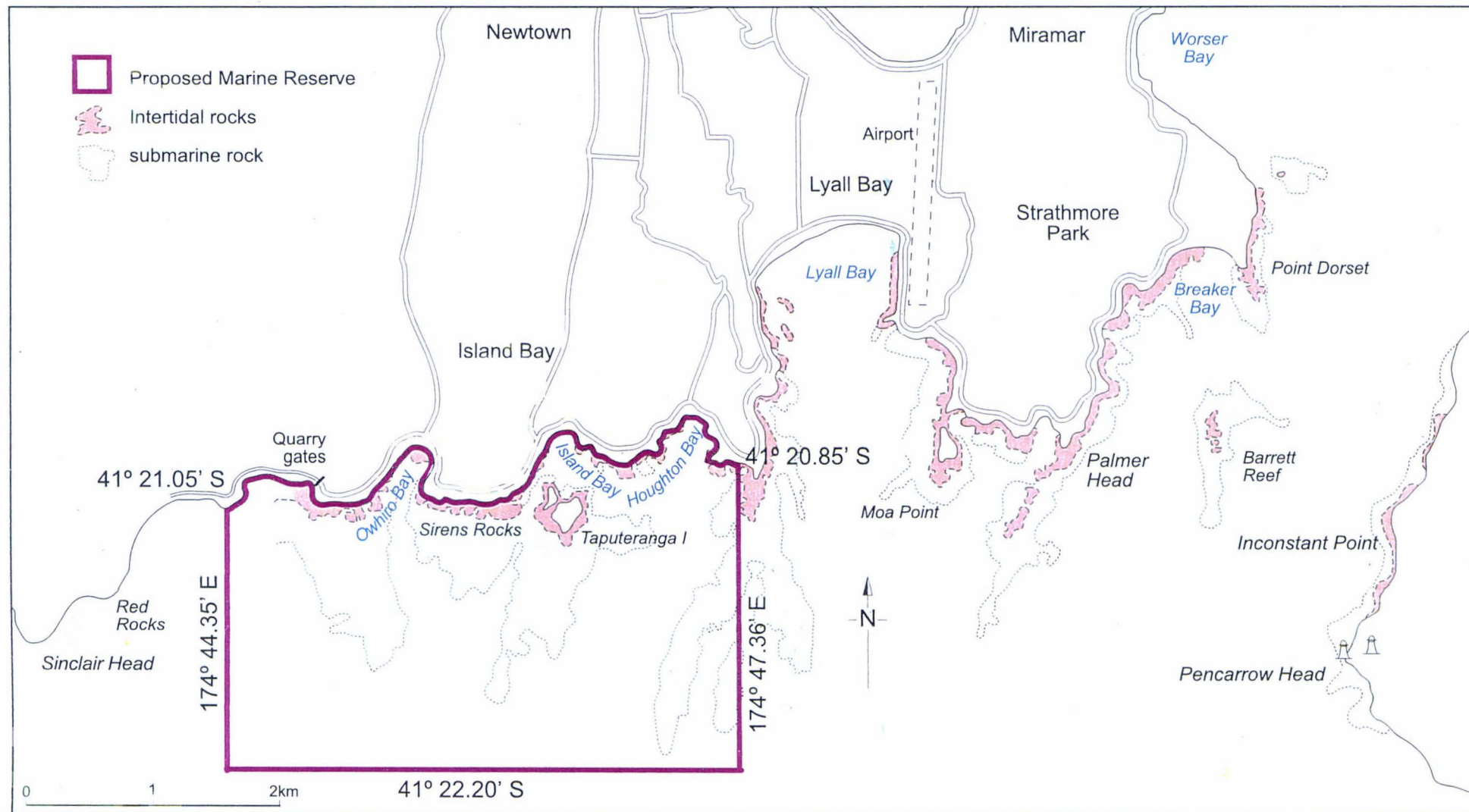
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www.seafood.co.nz/newscentre/press/batting.asp, accessed 10 October 2003

www.stats.govt.nz accessed 10 October 2003

Figure 6. Identification of Stakeholder Groups and their Interests

Recreational user, groups

Recreational user, non-adjacent

Residents Association

Wellington resident, non adjacent

☐ Affordable leisure activities
☐ Challenging consultation process
■ Commercial fishing income
■ Interference with estate
☐ Recreational activities

i

Marine Reserve

Legend:
- ☐ Proposed Marine Reserve
- Intertidal rocks
- submarine rock

Newtown

Miramar

Worser Bay

Airport

Lyall Bay

Strathmore Park

Lyall Bay

Island Bay

Point Dorset

Breaker Bay

Quarry gates

41° 20.85' S

41° 21.05' S

Owhiro Bay

Island Bay

Houghton Bay

Sirens Rocks

Taputeranga I

Moa Point

Palmer Head

Barrett Reef

174° 44.35' E

174° 47.36' E

Red Rocks

Inconstant Point

Sinclair Head

N

41° 22.20' S

Pencarrow Head

0   1   2km

APPENDIX III

Marine Reserves in New Zealand as at September 2002

Poor Knights Is

Cape Rodney-
Okakari Pt

Long Bay- Okura

Whanganui a Hei

Motu Manawa- Pollen I

Tuhua (Mayor I)

Te Tapuwae O
Rongokako

Long I- Kokomohua

Tonga I

Te Angiangi

Westhaven (Te Tai Tapu)

Kapiti

Pohatu

Kermadec
Islands

Piopiotahi
(Milford Sound)

Te Awaatu
Channel
(The Gut)
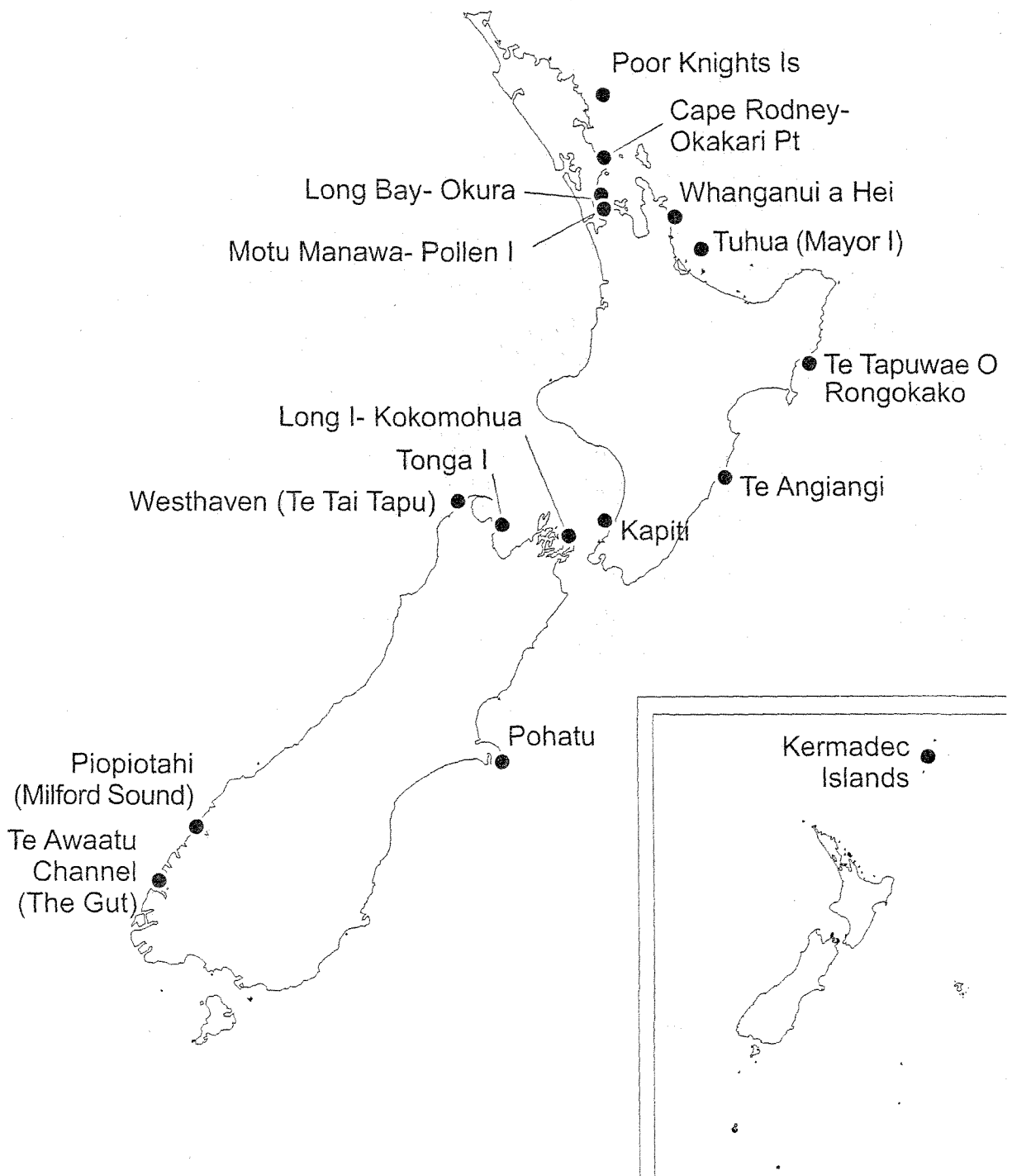
Source:
Department of Conservation. (2000). *Tapui Taimoana: Reviewing the Marine Reserves Act 1971. Discussion Document –Have Your Say.* Wellington, New Zealand: Department of Conservation.

Marine Reserve Establishment Process

Developing a proposal (non-statutory)

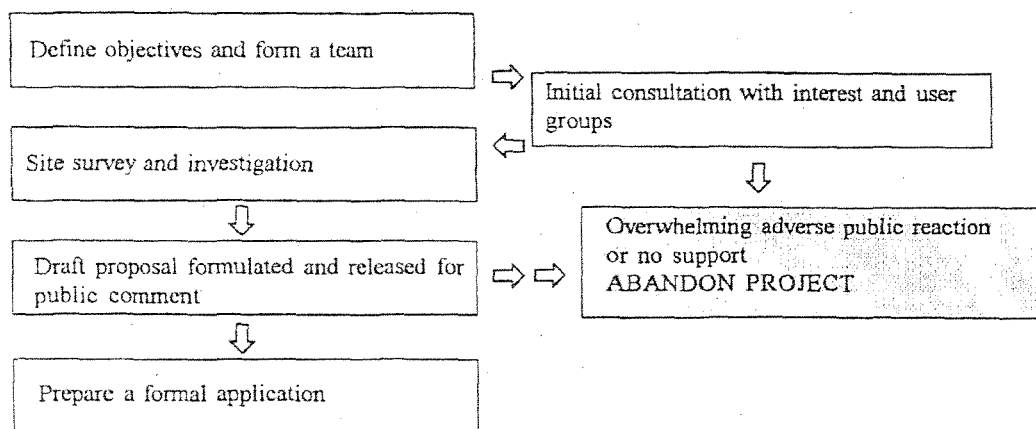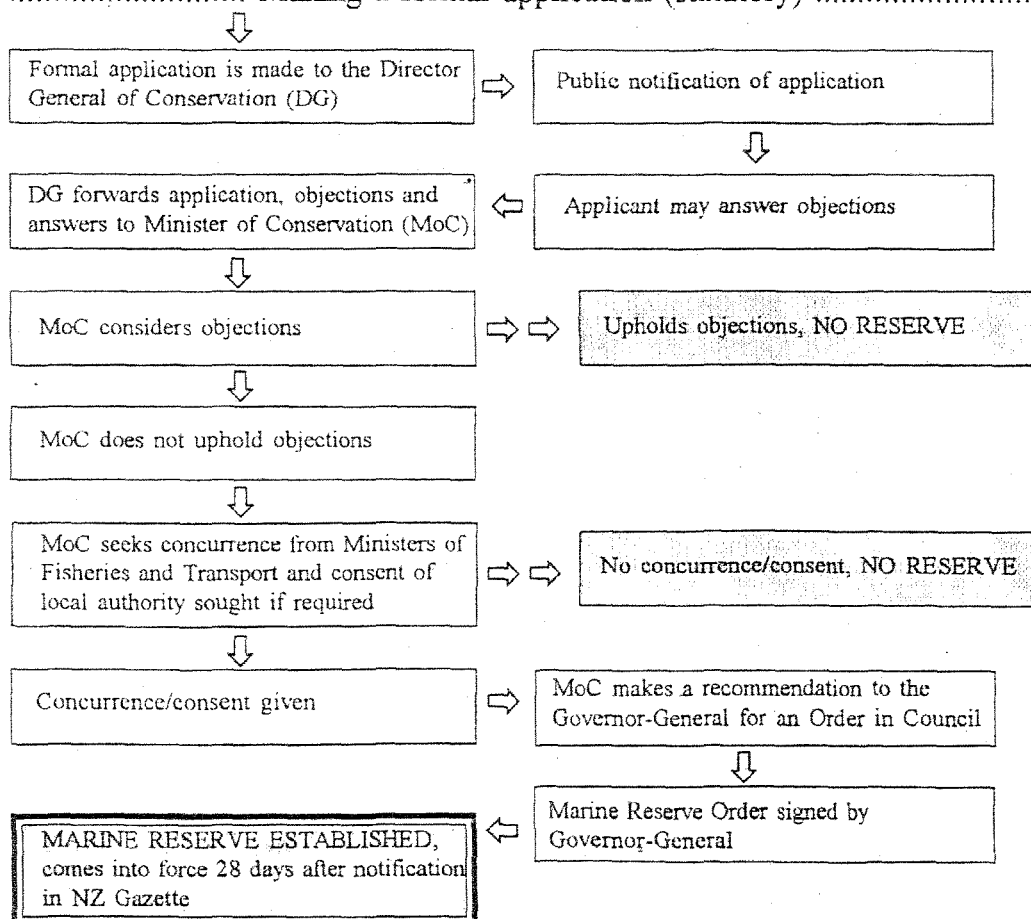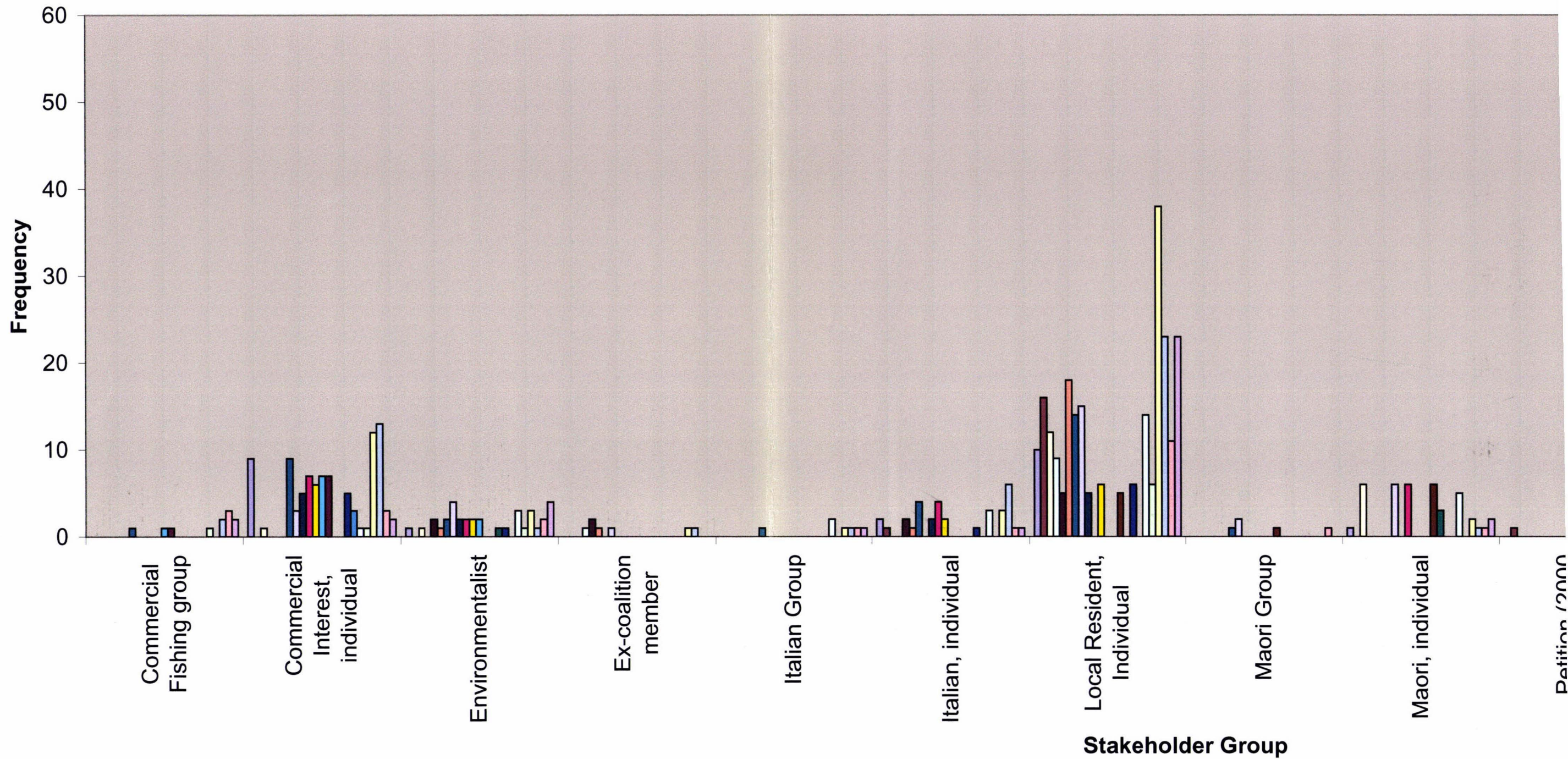|		
Define objectives and form a team	⇨	Initial consultation with interest and user groups
Site survey and investigation	⇦	⇩
⇩		Overwhelming adverse public reaction or no support ABANDON PROJECT
Draft proposal formulated and released for public comment	⇨ ⇨	
⇩		
Prepare a formal application		
⇩		

.... Making a formal application (statutory) ....

⇩

Formal application is made to the Director General of Conservation (DG)	⇨	Public notification of application
⇩		⇩
DG forwards application, objections and answers to Minister of Conservation (MoC)	⇦	Applicant may answer objections
⇩		
MoC considers objections	⇨ ⇨	Upholds objections, NO RESERVE
⇩		
MoC does not uphold objections		
⇩		
MoC seeks concurrence from Ministers of Fisheries and Transport and consent of local authority sought if required	⇨ ⇨	No concurrence/consent, NO RESERVE
⇩		
Concurrence/consent given	⇨	MoC makes a recommendation to the Governor-General for an Order in Council
		⇩
MARINE RESERVE ESTABLISHED, comes into force 28 days after notification in NZ Gazette	⇦	Marine Reserve Order signed by Governor-General

Frequency

Stakeholder Group

Stakeholder groups (x-axis labels): Commercial Fishing group, Commercial Interest, individual, Environmentalist, Ex-coalition member, Italian Group, Italian, individual, Local Resident, Individual, Maori Group, Maori, individual, Petition (2000

Legend:
- Access
- Access to beach
- Act under review
- Challenging applicant's motive
- Challenging benefits to local community
- Challenging conservation value
- Challenging meeting definition of marine reserve
- Challenging national interest
- Challenging scientific value
- Commercial fishing rights
- Customary rights
- Food source
- Lack of alternative fishing grounds
- Longstanding fishing tradition
- Questioning the content of proposa
- Safety
- Suggest alternative marine management
- Suggest alternative site