

**The 1080 Reassessment Consultation Hui – An Independent  
Assessment of Oral Submissions and Process**

James Ataria

Landcare Research  
PO Box 69, Lincoln 8152  
New Zealand

Landcare Research Contract Report: LC0405/054

PREPARED FOR:  
Ngā Kaihautū Tikanga Taiao - Māori Advisory Group  
ERMA New Zealand  
PO Box 131  
Wellington

DATE: December 2004



---

*Reviewed by:*

*Approved for release by:*

Chrys Horn  
Social Scientist  
Landcare Research

Phil Cowan  
Science Manager  
Biosecurity and Pest Management

---

© **Landcare Research New Zealand Ltd 2004**

No part of this work covered by copyright may be reproduced or copied in any form or by any means (graphic, electronic or mechanical, including photocopying, recording, taping, information retrieval systems, or otherwise) without the written permission of the publisher.

---

## Contents

---

Summary .....	4
1. Introduction .....	7
2. Background .....	7
3. Objectives .....	8
4. The Hui Process.....	8
4.1 Background .....	8
4.2 Consultation hui .....	8
5. Māori Issues Arising from the Hui .....	11
5.1 Nationwide Māori consultation process.....	11
5.2 Reassessment process .....	15
5.3 Research issues .....	17
5.4 Information.....	17
5.5 Governance issues.....	18
5.6 Operational issues .....	19
6. Discussion .....	20
7. Recommendations .....	21
8. Acknowledgements .....	22
9. References .....	22
Appendix 1 Consultation survey form .....	23
Appendix 2 Number of completed surveys from each hui.....	25

---

## Summary

---

### Project and Client

The Animal Health Board (AHB) and Department of Conservation (DOC) are key agencies with an interest in ongoing use of sodium fluoroacetate (1080) for pest control. In March 2002, in response to a joint application from the two user-groups, the Environmental Risk Management Authority (ERMA) decided there were grounds for reassessment of 1080 under the Hazardous Substances and New Organisms (HSNO) Act 1996.

The AHB and DOC are currently preparing the application for submission to ERMA. As applicants, part of their responsibilities in preparing the application, as prescribed by the HSNO Act under section 6 (d) (to take into account the relationship of Māori and their culture and traditions with their ancestral lands...and taonga) and section 8 (taking into account the principles of the Treaty of Waitangi), is to conduct national consultation hui with Māori.

Ngā Kaihautū Tikanga Taiao, the Māori Advisory Group to ERMA, has commissioned Landcare Research to report on the major findings from five of the 22 consultation hui to assist them in fulfilling their responsibilities as key advisers to ERMA on issues relating to sections 6 (d) and 8 of the HSNO Act.

### Objectives

- To attend five consultation hui as an independent observer familiar with issues regarding the use of 1080 as a vertebrate pesticide.
- To record oral submissions made by Māori participants and summarise the major issues resulting from each hui.
- To document Māori participants' views regarding the consultation process and the Applicants' presentation.

### The Hui Process

- Ngā Kaihautū Tikanga Taiao prioritised five of the 22 hui held throughout New Zealand for observation and assessment. These were held at Te Waipounamu House, Christchurch (16 August); Waitetoko Marae, Taupo (6 September); Takahanga Marae, Kaikoura (13 September); DOC Conservancy Office, Thames (20 September); and Te Taiwhenua o Te Whanganui-a-Ōrotu Offices, Napier (30 September).
- The author attended the five hui and recorded Māori participants questions and issues. These were used to summarise the main themes.
- At the conclusion of the hui, Māori participants were approached and asked if they would be prepared to answer a few short questions in an evaluation survey.

### Major Issues Arising from the Hui

- Māori attendance at the five hui was low. Participants were confident that if the hui were held in the evenings or during the weekend more people would have attended.
- Some participants viewed the hui and presentation as an information dissemination exercise and not true consultation. Others felt encouraged to participate and indicated they would be producing a written submission.

- The hui were regarded by some participants as a positive step, although they remain adamant that further contact and more information are required before iwi will be in a position to make informed submissions about 1080.
- Participants had concerns about adequate Māori representation in the reassessment process and concerns relating to analysis and final ‘weighting’ of Māori values by ERMA in the outcomes.
- Most Māori participants felt uncomfortable with the use of poisons in the environment, although a broad spectrum of views on 1080 exists. Some support 1080 use, providing there is more Māori involvement in the process, and others feel that 1080 is a threat to the environment and that its use contradicts their beliefs.
- Aerial 1080 baiting operations remain controversial, and some participants were adamant that alternatives to aerial application, and in some cases alternatives to 1080, are required.
- The impact and environmental fate of 1080, particularly with respect to mahinga kai and iconic species, is still a primary concern for Māori, who would like to play a greater role in setting research priorities and carrying out research.
- Inadequate access to research information in a form most likely to be up taken by Māori, and inadequate resourcing are perceived as major obstacles for Māori wanting to engage in the re-assessment process and pest control issues in general.
- Pest control agencies and ERMA need to forge closer relationships (kanohi ki te kanohi – face to face) with Māori so that solutions can be reached that are acceptable to all parties.

### **Conclusions**

- The concept of national consultation with Māori on 1080 is good and use of the Kauapa Atawhai Manager network to get a wide coverage of appropriate iwi was sound.
- There were marked differences in the way Kaupapa Atawhai managers organised and facilitated the hui in their rohe (areas) that could have influenced outcomes from each.
- Māori participants expressed two main views about the consultation process. Some participants were dissatisfied with process saying that it was fundamentally flawed, while there were others who did not voice any concerns. The view that predominated varied between locations.
- Delegation of recording the hui minutes was not standardised across the five hui, and there was no evidence of recordings being taken as an accurate record of the participants’ comments.
- The Applicants’ presentation did not always provide an objective review of current information regarding 1080. The reassessment process was explained clearly and the importance of Māori participation in the submission process was emphasised throughout.
- More time could have been devoted to discussing 1080 impacts on cultural, Māori health and wellbeing, treaty, and environmental outcomes especially as the Applicant organisations appear to expect Māori to take the lead on these matters.

### **Recommendations**

- That any amendment of the consultation process gives consideration to:
  - The alternative consultation model proposed by Māori, which gives clear direction on who to consult (e.g. establish a working party of “key” Māori who are representative of the Māori community) and how to consult (use Māori-specific frameworks).
  - The organisation and facilitation of the hui at Kaikoura as a successful model for carrying out similar meetings.
  - Ensuring that Applicant organisation/s adhere to the principles of reasonable consultation and give consideration to the timing of the hui, appropriate modes

- of advertising and engagement, and adequate lead-in time to the hui.
- Human capacity and financial resourcing constraints that are limiting effective Māori participation in this reassessment process.
- That ERMA needs to demonstrate and explain how Māori cultural and spiritual values are incorporated into the decision making process and how they have affected the Authority's final decision.
- That impartial information on 1080 becomes more readily available to Māori in a form that will ensure maximum uptake.
- That the pest control agencies build a greater level of trust with Māori, through ongoing dialogue on the issue of using 1080 and other non-specific toxins for pest management.
- That Ngā Kaihautū Tikanga Taiao continues to develop and build relationships with Māori organisations to increase the profile of ERMA, the HSNO Act, and the role that Māori can play in this process.
- That pre- and post-monitoring by Māori become a mandatory component of assessment of environmental effects of 1080 operations.

---

## 1. Introduction

---

Sodium fluoroacetate (1080) is used to protect New Zealand's biodiversity and reduce the spread and prevalence of bovine tuberculosis (Tb) by controlling a range of vertebrate pests such as the Australian brushtail possum (*Trichosurus vulpecula*), the European rabbit (*Oryctolagus cuniculus caniculus*), and the ship rat (*Rattus rattus*). The Department of Conservation (DOC) and the Animal Health Board (AHB) have an interest in the ongoing use of 1080 for pest control. Both agencies have supported a range of research projects and monitoring efforts to investigate operational, environmental fate and non-target impacts of 1080. Despite the considerable information available 1080 still remains controversial because of perceived environmental, cultural, recreational and human health effects.

Ngā Kaihautū Tikanga Taiao, the Māori Advisory Group to the Environmental Risk Management Authority (ERMA), has commissioned the author to report on the major findings from five of the 22 consultation hui to assist them in fulfilling their responsibilities as key advisers to ERMA on issues relating to sections 6 (d) and 8 of the HSNO Act.

---

## 2. Background

---

Compound 1080 was first assessed and registered in New Zealand as a pesticide under the now repealed Pesticides Act in 1964. The enactment of the HSNO Act (Hazardous Substances and New Organisms Act) in 1996 introduced a new system for the management of all hazardous substances and new organisms in New Zealand. Transfer of hazardous substances registered under older legislation and regulations to the HSNO regime has been underway since. The HSNO Act also allows for reassessment of hazardous substances on the grounds that there is significant new information available, there is an increase in use of the substance, or there are public concerns about the compound.

Early in 2002 DOC and the AHB invited ERMA to decide whether or not there were grounds for reassessing the registration of 1080 and substances containing 1080. They proposed that significant new research data (occupational exposure, mutagenicity, reproductive, and ecotoxicity data), information relating to the significant increase in the quantity of 1080 used, and continued public concern over the use of 1080 justified a reassessment. In light of these matters the ERMA Hazardous Substances Standing Committee decided unanimously in March 2002 that grounds for reassessment did exist.

The process of reassessing 1080 falls into three major categories:

1. Hazard classification: a description and identification of 1080 and its formulations, a hazard classification of each product, an assignment of default controls based on the Hazardous Substances Control Regulations.
2. Consultation with stakeholders: detailed public consultation by DOC and AHB has been undertaken that included consultation hui with Māori and the production of a discussion document for general circulation (Green 2004).
3. Risk assessment: the risks, costs and benefits of the use of 1080.

In May 2003 the reassessment process was halted pending an amendment to the HSNO Act to give ERMA wider legal powers to impose controls on use of 1080. Appropriate changes to the HSNO Act were passed allowing work to continue on the reassessment of 1080.

On 1 November 2004, all vertebrate toxic agents (VTAs; previously called vertebrate poisons) with the exception of 1080 were transferred to the HSNO regime. The decision by ERMA New Zealand not to transfer 1080 along with the other VTAs was made in light of the current application for reassessment. In the meantime, the existing controls on 1080 will continue to apply until the reassessment process has been completed.

---

### **3. Objectives**

---

- To attend five consultation hui as an independent observer familiar with issues regarding the use of 1080 as a vertebrate pesticide.
- To record oral submissions made by Māori participants and summarise the major issues resulting from each hui.
- To document Māori participants' views regarding the consultation process and the Applicants' presentation.

---

### **4. The Hui Process**

---

#### **4.1 Background**

After the ERMA decision, a Reassessment Steering Committee consisting of AHB and DOC representatives and Sara Clarke (Project Leader) of URS New Zealand was formed. The role of this committee is to ensure the Applicant's responsibilities under the HSNO Act are met.

Nationwide consultation with Māori is a major component of the reassessment process, and the Committee decided to use the DOC Kaupapa Atawhai Managers to carry out the Māori consultation hui. This decision was primarily based on the extensive networks and long-standing relationships that the Kaupapa Atawhai Managers have formed with iwi throughout the 13 DOC conservancies. Peter Lawless, DOC General Manager of the Northern Region, was approached and agreed to champion this idea. This option was tabled at a DOC General Management Team meeting and subsequently supported by them. The DOC Conservators then directed the Kaupapa Atawhai Managers to develop a framework and implement the consultation process. Together with representatives of the Reassessment Steering Committee, the Kaupapa Atawhai Managers drafted a schedule detailing appropriate hui venues and meeting times.

#### **4.2 Consultation hui**

A total of 22 consultation hui were held in the North and South islands (Fig. 1) beginning in August 2004 and continuing through to October 2004. According to ERMA guidelines

(ERMA 2001), nationwide consultation does not require the applicant to consult with all iwi, or expect the applicant to go to unreasonable lengths to consult or obtain information, nor to incur unreasonable costs during this process. The selection and final decision on hui venues rested with the Kaupapa Atawhai Managers. Their decisions were based on areas where 1080 aerial and ground control were part of DOC and AHB operations, and whether 1080 was a significant enough issue to local Māori to warrant a hui. In areas where hui were not held, it was assumed that tangata whenua would utilise the written submission process as a vehicle to express their issues.



**Fig. 1** Locations of the nationwide hui (blue points). Red circles indicate hui the author attended (Conservancy Map courtesy of DOC).

I attended five consultation hui as an independent observer (Table 1). Two hui were held on marae, two at iwi/hapū organisation offices, and one at a DOC Conservancy Office. Copies of “The use of 1080 for pest control: A discussion document” (Green 2004) had been sent to all Kaupapa Atawhai Managers in May 2004 for distribution to iwi with an interest in environmental issues. Further copies were supplied as demand from Kaupapa Atawhai Managers increased between May and July. Supplementary copies were available at the hui for participants, as were the documents “1080 in action” (DOC & AHB 2004), and the Applicant’s presentation.

**Table 1** Consultation hui that were attended by the author.

Location	Date	Target Iwi
Te Waipounamu House, Christchurch	16 August	Ngāi Tahu (Cant. & West Coast)
Waitetoko Marae, Taupo	6 September	Ngāti Tūwharetoa
Takahanga Marae, Kaikoura	13 September	Ngāti Kuri
DOC Conservancy, Thames	20 September	Hauraki
Te Taiwhenua o Te Whanganui-a-Ōrotu Offices, Napier	30 September	Ngāti Kahungunu

All meetings were organised and facilitated by a Kaupapa Atawhai Manager responsible for the rohe where the hui was held. All hui were opened by the Kaupapa Atawhai Manager who welcomed participants and described the purpose of the hui.

A kaumātua, or alternatively the Kaupapa Atawhai Manager, then opened the meeting with a karakia. At two hui, mihi (the opportunity for hui participants to introduce themselves) followed while at the other hui speakers were asked to introduce themselves before addressing the hui forum.

This was followed by the Applicant presentation, given by Herb Christophers (Senior Advisor, External Relations Division, DOC). Each presentation was based on the following format:

- A brief background on 1080
- How 1080 is used and managed New Zealand
- What is involved in the 1080 reassessment process
- Māori-specific information that the Applicant requires.

As the consultation round proceeded the presentation was modified to focus more on the reassessment process to reflect the issues raised and experiences learned at preceding hui. In general the Applicant presentation lasted between 30 and 50 minutes, depending on the number of questions posed by the audience. At a number of points during the presentation participants were encouraged to write a submission.

The floor was then opened to discuss participant issues and questions arising from the Applicant presentation. I recorded the participants' questions and issues arising during the Applicant presentation and the open forum. Copies of the official minutes taken at the five consultation hui were requested for comparative purposes. However, only minutes from the Christchurch, Waitetoko, and Takahanga hui were available at the time of writing this report.

At the conclusion of the open forum the main issues arising from the hui were summarised by the Kaupapa Atawhai Manager. Participants were again encouraged to participate in the submission process, before the meeting was closed with a prayer.

At this time I approached some hui participants and asked them to answer a few short questions in an evaluation survey (Appendix 1). The aim of this survey was to provide an avenue for the participants to reflect and comment on the consultation process. The number and percentage of completed surveys is given in Appendix 2. Survey responses from the five hui have been pooled and results are presented in the following section.

---

## 5. Māori Issues Arising from the Hui

---

In general the issues raised by hui participants covered a broad range of topics. I have attempted to encapsulate the major themes from within and across the consultation hui. These have been reported under the following generic headings and quotes from Māori participants (in italics) have been included where appropriate. Results from the survey are included as graphs or incorporated into the text where relevant.

### 5.1 Nationwide Māori consultation process

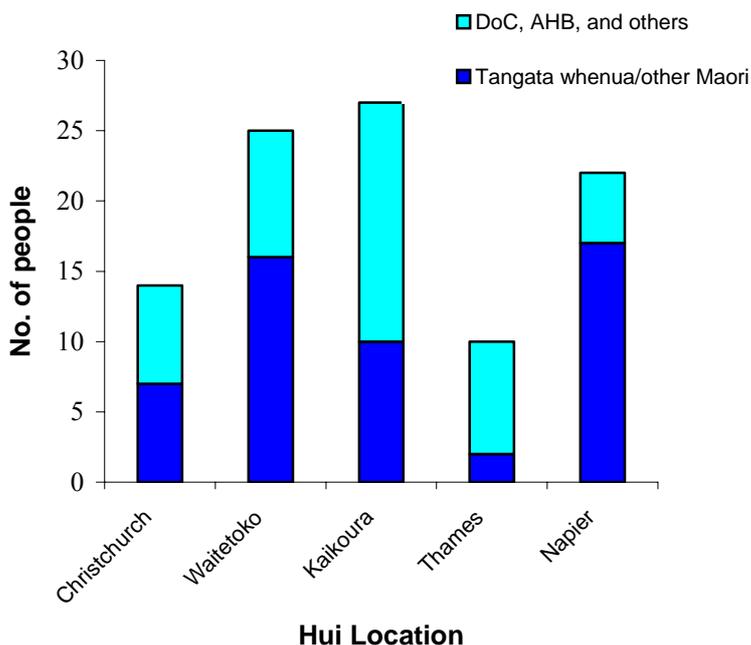
#### The process

*“Your consultation process is fundamentally flawed – this process is only about informing...it is not about meaningful consultation”*: This was a major issue at two hui, and was articulated well by one participant who said that while he applauded the ERMA decision requiring the applicants to consult with iwi, he felt that the consultation process needed to be redesigned to include more information. Further *“kanohi ki te kanohi”* meetings over a longer time frame would be required to obtain a representative cross section of opinions from the *“people of the land”*, including those that were unable to attend the meeting due to other commitments. These would be important in terms of collecting meaningful information from Māori for use in a decision-making process, and in his view this could not be achieved in a one-off *“quick-shot meeting.”*

This was supported by other participants who regarded the consultation hui as a dissemination exercise only. They felt that they were attending the hui to learn more about 1080 and were not in a position to produce a submission because they needed more information. Furthermore, these participants felt that only with follow-up hui would they be in a position to produce a submission. Some considered that the process of written submissions is not an appropriate mechanism to capture the views of all Māori. Participants warned that there are Māori who have issues regarding 1080 but who are unlikely to participate in the submission process because they are not able, or willing, to articulate their view in writing.

An alternative consultation model was suggested at the Waitetoko hui, with the proposal that DOC, AHB and ERMA support and resource the establishment of a working party with key Māori that work within the rohe and who would *“be representative of all the people.”* With the appropriate information and adequate time to assimilate this information, Māori could use their own processes to reach conclusions and produce a submission (oral and/or written). Submissions could then be communicated back to the Applicants or ERMA via the working party. A similar model of having a hapū-elected representative to present their group’s view was also proposed at the Napier hui where one participant felt dissatisfied with the current consultation model because *“this is not how Māori would consult...Māori have our own process of consulting.”*

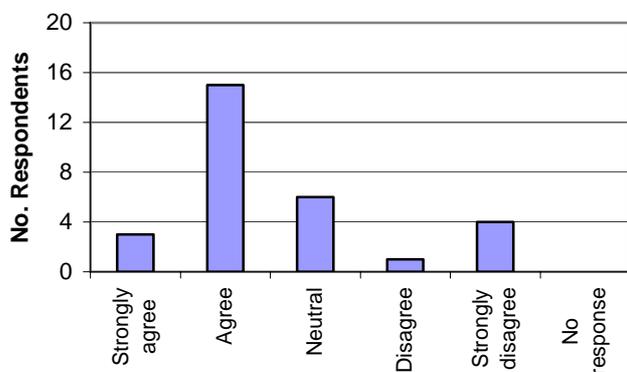
*“Timing of the hui is inappropriate”*: Some participants stressed that holding the hui during working hours on weekdays made it difficult for *“working families”* to take time away from employment and other obligations. This is supported by the attendance statistics, which show low Māori participation in the five consultation hui (Fig. 2).



**Fig. 2** Total attendance and number of tangata whenua and Māori participants.

However, bad weather forced the cancellation of plans by West Coast and Christchurch Banks Peninsula Rūnanga to attend the Christchurch hui. The numbers of non-Māori participants was greater than the number of Māori participants at two hui, although the Kaikoura hui included representatives from the agricultural sector and regional and territorial authorities (e.g. farmers, district and regional council staff), who were invited to contribute. According to a number of participants, higher levels of Māori participation would have been likely if hui were held in the evenings or during the weekend.

Despite participants' concerns about the timing of the hui, the survey respondents felt that there was enough time allocated at the hui to discuss their issues (Fig. 3).



**Fig. 3** There was adequate time given to discuss my issues and for general discussion.

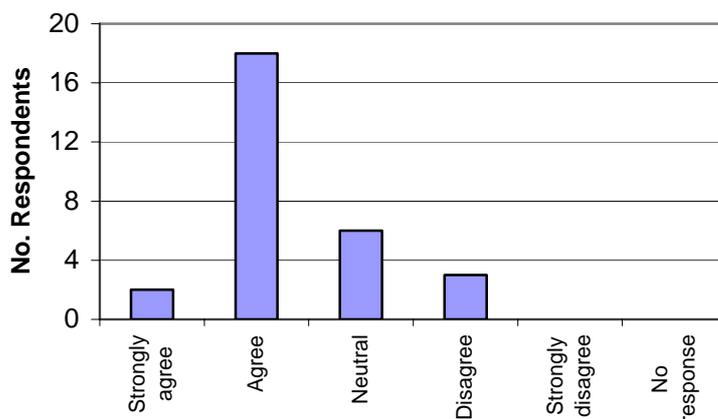
Some participants felt the hui were not widely notified or that notification time was too short, although the survey respondents were divided on this issue (12 agreeing that sufficient notification had been given, 13 disagreeing, and 4 did not answer this question). Some hui participants thought that the Applicants should have employed forms of media that are more readily accessible to the Māori community (e.g. local newspapers and radio stations) to advertise the hui, in addition to the Māori organisations that were originally approached. Results from the survey show that 10 respondents had heard about the hui through rūnanga representatives, 7 through DOC or AHB staff, and 13 via “other” sources, such as word of mouth (3 did not answer this question).

*“One-sided propaganda machine...Government representatives pushing government agency agendas”*: The decision by the Applicants to run the consultation hui was criticised by some hui participants at the Waitetoko and Napier meetings as being one-sided because there was no opportunity to debate the issues due to the over-representation of pest control agencies at the hui. More informed discussion is required between groups with different opinions on 1080 to improve the consultation process. The strong presence of Applicant representatives during the consultation hui was seen as government staff promoting government policy, and therefore their participation in the consultation hui was viewed as a conflict of interest.

Other participants said that the consultation hui and discussion document were positive steps taken by the AHB and DOC but that it should have occurred prior to, and not as a consequence of, an ERMA decision. In addition, they questioned whether any of these initiatives to inform Māori would have occurred at all if ERMA had decided not to have 1080 reassessed.

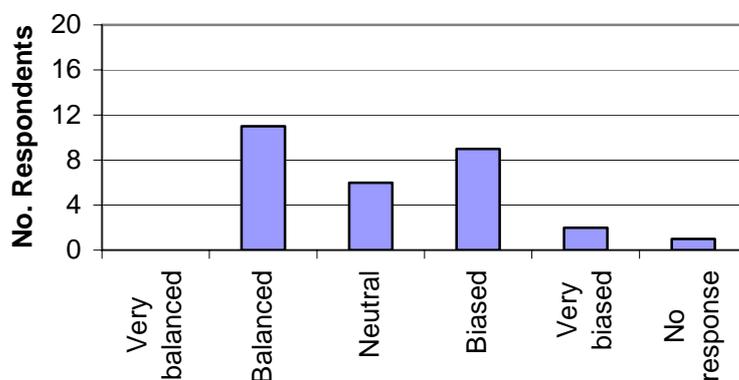
#### **The Information (Applicant presentation and written documents)**

The presentation was generally well received by hui participants. Results from the survey suggest that most of the respondents found that the Applicant presentation was easy to follow (Fig. 4), and that the reassessment process was explained clearly during the presentation (19 agreed, 7 disagreed, 3 did not answer this question).



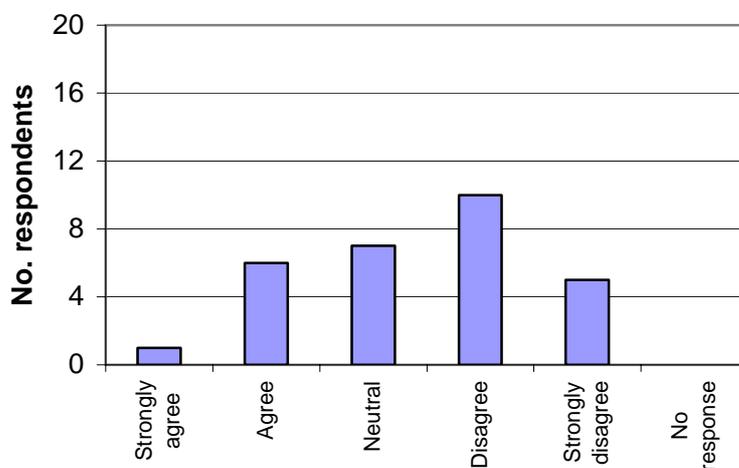
**Fig. 4** Applicant presentation was easy to follow.

However, the survey respondents were divided when asked if the Applicant presentation was balanced (Fig. 5).



**Fig. 5** Did you feel that the Applicant (AHB & DOC) presentation gave a balanced view of 1080 and its use?

Similarly, when asked whether the presentation covered all of their questions about 1080, respondents were again divided although more respondents felt that the presentation did not cover all of their questions (Fig. 6).



**Fig. 6** Presentation covered all of my questions about 1080.

Furthermore, 17 respondents felt that other issues should have been covered in the presentation, compared to 8 respondents who replied “No” to this question (4 respondents did not answer this question). Issues that they would like to have had covered, or covered in more depth, included:

“The management of pest control is the issue and the alternatives to this substance.”

“ERMA reassessment process, make-up, and representation”

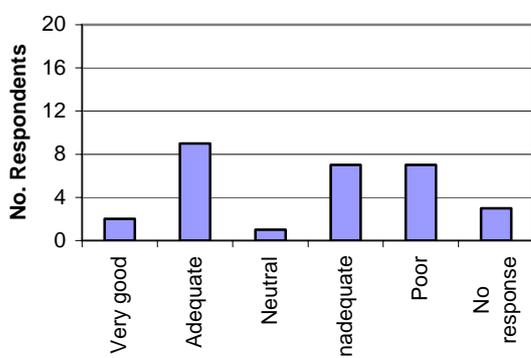
“The process regarding multiply-owned Māori land”

“Māori values”

“More technical information on 1080 – ramifications of poisons”

“Lacked expertise in the use of 1080. Needed experts for and against 1080”

Earlier this year AHB and DOC produced the publication “The Use of 1080 for Pest Control: A Discussion Document” (Green 2004). This document provides a background to 1080 use in New Zealand and is a good synopsis of research to date on 1080. The Kaupapa Atawhai Managers were provided with copies of the document for general circulation to Māori prior to the hui. It was evident that some hui participants had not received a copy of the discussion document prior to the hui, although results from the survey suggest that other respondents were satisfied with the level of information that they had received prior to the hui (Fig. 7). Some participants felt that they did not have the time and/or the capacity to read this document and assimilate the contents. Many felt that “kanohi ki te kanohi” interaction and presentations is the best vehicle for transferring the technical and operational information and that those organisations charged with these responsibilities were also obliged to fulfil this task.



**Fig. 7** Information that I received prior to the hui was...

Despite the broad range of views about the appropriateness and success of the consultation hui, it was interesting to note that a majority of survey respondents felt they had received adequate encouragement to participate in the submission process (22 agreed, 4 disagreed, and 3 did not respond to this question), and that they would be producing a written submission (20 replied yes, 4 replied no, 5 did not answer this question).

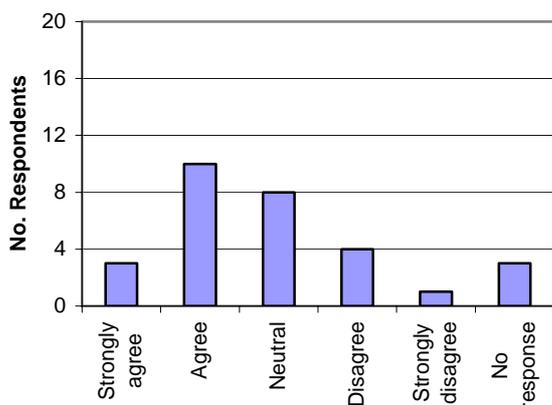
## 5.2 Reassessment process

### Māori values

*“While you have come to consult with us about this issue we are not keen to ‘bleed our hearts out’ because if we do then there is a possibility that our issues will not be heard...fall on deaf ears.”*: This was a common theme at four hui. Some Māori participants voiced their concerns of whether Māori cultural values will be taken into account during the reassessment process or dismissed as “*mumbo jumbo*”. However, results from the survey suggest that more respondents feel confident that the Applicant will consider their issues, compared with those who think that they will not (Fig. 8).

The wider question of whether Māori felt their issues would be considered at the decision-making level was not incorporated into the survey, although questions were raised regarding the “weight” assigned to Māori cultural values (relative to economic and environmental

values) during the reassessment process. Furthermore, participants had concerns surrounding the basis or methodology for assigning a weighting or rating to Māori values.



**Fig. 8** Applicants (AHB & DOC) will consider and address our issues discussed at the hui.

Similarly, there were concerns about the treatment of submissions from Māori that are not backed up with scientific evidence. *“Will a submission be taken seriously if it is based around our culture or feelings rather than scientific information?”*

*“I have a major concern about the use of Māori words and concepts in the health and wellbeing outcomes...such as taha wairua, taha whanāunga, taha hinengaro, taha tinana. Is there any substance to the use of these words or are they just words on paper?”*: Participants at all of the hui were adamant that the concepts described under the Māori Outcomes (Cultural, Health and Wellbeing, Environmental, and Treaty) needed to be understood and respected by the ERMA decision makers and pest control agencies who deal with 1080 at the operational level. One participant described the interconnectedness of the health and wellbeing outcomes within the framework of a Māori view of environmental responsibility as being similar to a house that is held up by the walls of taha wairua, taha whanāunga, taha hinengaro, and taha tinana. *“If you knock one of those walls down the rest of the house will collapse.”*

Another participant described instances where 1080 aerial drops had been opposed on the basis of tikanga and mātauranga Māori, but these concerns were ineffectual in stopping the operation. The question was then posed – how confident could Māori be that ERMA will take these taha Māori aspects into account? With this in mind it was suggested that ERMA should hold the hearings on marae, so that these principles can be more effectively communicated to the ERMA standing committee.

### **Māori representation in the decision-making process**

*“Grassroots people are not involved in the decision-making processes”*: Participants were adamant that proper representation of the Māori community view was essential at this level. One participant at the Napier hui strengthened this call by adding that kaumātua with the knowledge and experience in both the Māori and Pākehā world on issues relating to the environment were the most appropriate people to appoint to these positions. Some thought regional representation in the decision-making process was required in order to give the process the proper sensitivity and direct accountability back to the people. Furthermore, there were concerns about the interpretation of iwi/rohe-specific information during the analysis of

submissions and decision-making steps. Here it was argued that each iwi, as a Treaty partner, has a right to sit on the decision-making panel and therefore ERMA requires the appropriate expertise to address any iwi-specific information on the cultural impacts of 1080 use.

### 5.3 Research issues

#### Alternatives to 1080

*“Investigation into alternatives... if the Government is prepared to invest all of this money in 1080 why can't they look into alternatives?”*: Investing more research into alternatives to poisons and to the aerial application of 1080 was articulated at all of the hui. There were those who were ardently opposed to the application of poisons of any type to the forests because it was perceived that protecting the forests' biodiversity with a poison was contradictory to fundamental Māori beliefs. However, there were participants who felt that mammalian pest species are also a form of poison and that they need to be controlled. For others it was acknowledged that the use of poisons to manage these pests is one of the management tools currently available and that this has to be balanced with their responsibilities as kaitiaki to protect their resources against pest damage and Tb, for future generations. The role of historical and contemporary mātauranga Māori in the development of alternative control methods was suggested, such as the development of new trap designs and novel poison formulations.

#### 1080 impacts

The short- and long-term impact and environmental fate of 1080 continues to be a major concern for Māori. Over the last 15 years AHB and DOC have committed a considerable amount of resourcing to investigate these issues. However, participants felt that some of their concerns have not been addressed. These include the uptake of 1080 by and potential health effects of consuming edible plant (e.g. tīkouka, mushrooms, watercress and puha), or animal species (eels), or utilising medicinal plants (e.g. kawakawa). Māori were also concerned about the long-term impacts on the ecosystem (transfer of 1080 through the food chain from invertebrates through to birds and larger animals (e.g. bats)). There were even questions about the impacts of 1080 on Māori economic initiatives such as beehives, organic farms, and tourism in areas adjacent to 1080 operations, and even whether 1080 is transferred into the fur of animals.

Some participants felt that iwi needed to play a greater role in setting research priorities as well as getting independent research commissioned for them – an avenue that could provide for kaupapa Māori-based research to investigate the impact of 1080 on the Māori cultural and spiritual dimension.

### 5.4 Information

*“Education is the only way to get everyone more informed and involved in this debate”*

The basis of many participants' concerns about 1080 and the reassessment of 1080 was the reality that they required more information and time to make an informed statement or submission. Improving access to appropriate information is seen as a key factor to ensure more meaningful Māori participation in the management of 1080. Furthermore, some Māori participants were of the opinion that information from impartial sources had more integrity and acceptability than did information from the Applicant organisation. Despite the concerted research efforts by AHB and DOC to address knowledge gaps, many participants were not aware of much of the research that has been carried out (e.g. recent plant, tuna, and koura

1080 uptake studies), indicating that current dissemination models are failing Māori. The participants found this particularly frustrating because they said that Māori are often put into situations of having to make decisions on 1080 without adequate knowledge or appropriate information (e.g. trustees of Māori land approving 1080 aerial drops). This is encapsulated in the following statement, *“we are way-off down the track in terms of education and consultation but always the first to be asked to agree to 1080 use.”*

Some participants felt that the parties charged with generating research or running these operations are obliged to inform iwi about research results. It was also suggested that more effective modes of communicating research to Māori, such as television and radio media, and kanohi ki te kanohi, needed to be investigated to maximise information uptake.

## **5.5 Governance issues**

At the governance level, participants regarded the ERMA process as flawed because of the “advisory” status of Ngā Kaihautū Tikanga Taiao. In their opinion this is not a true reflection of partnership with the Crown, as guaranteed under the Treaty of Waitangi, because they are only able to make recommendations to ERMA, and not decisions.

### **Cultural right**

At four hui non-target impacts from 1080 operations were discussed. The Applicant presenter acknowledged that some non-target mortality is an expected outcome of 1080 operations. However, some participants felt that this impacts on their cultural right, or their mana whenua, because their ability to harvest kai from the affected areas and feed their people and visitors is diminished. Furthermore, in the assessment of the overall benefits and effectiveness of carrying out 1080 operations, cultural right is not considered in the analysis. To this end, some participants at two of the hui proposed that *“all 1080 drops on Māori land should be banned.”*

### **Resourcing**

Many participants perceived inadequate financial and human resourcing within iwi as a major obstacle for Māori to participate effectively in 1080 reassessment process. At the individual level, some participants thought that the low hui attendance was in part attributable to a reluctance of individuals to take a day off work and/or to travel to the hui. The effectiveness of Māori organisations to handle these requests is sometimes also limited by human and financial resource constraints. It was argued that financial investment in Māori organisations to carry out informed debate using their own frameworks, and investing in the development of iwi management plans as guiding documents for pest control agencies, were as important as investing in research.

Limited resourcing was also cited as a factor in Māori being involved in pest control in general. Participants felt they needed to be involved from the planning stages through to the post-operation monitoring. Furthermore they needed to be compensated for their involvement and expertise. The proposal to incorporate cultural impact assessments into the assessment of environmental effects component of the DOC process was viewed as one avenue to fund Māori involvement.

### **Relationships**

By nature of the work that DOC carries out, and its commitment to promoting effective partnerships with tangata whenua, the extensive networks that they have created with Māori

via their Kaupapa Atawhai managers is important. In contrast AHB (who have a much smaller group of stakeholders) and ERMA (who have been established for a much shorter period of time) were regarded by participants as faceless organisations they knew little about in terms of organisational structure and function. The participants perceived a need for AHB and ERMA to develop relationships with Māori through increased kanohi ki te kanohi interaction, and in the case of the AHB through the appointment of an iwi manager.

However, some participants called for all Government agencies to “invest up front” and form closer relationships with iwi to build trust between agencies and Māori groups. Participants were adamant that dialogue and consultation between tangata whenua and pest control agencies was an ongoing process and viewed as the best approach in order to reach decisions that are acceptable to all parties.

## **5.6 Operational issues**

One of the most contentious issues facing 1080 use is the continued employment of aerial application of baits. Almost all participants opposed or had serious reservations about this method of application on the basis of:

- The random nature of where baits land
- The validity of contractors’ claims that they can aeriually apply 1080 with a high degree of accuracy, when they cannot account for wind or movement of poisoned animals.

Participants with a good local knowledge of aerial drop zones also questioned the “limited foot access” argument for supporting aerial drops because they were confident that foot access was possible in some areas. The redirection of funds to employ iwi representatives to carry out ground control as an alternative to aerial control was proposed at four hui.

However, one participant at the Napier hui, a dairy farmer who had employed aerial 1080 drops, testified to the efficacy of this control method in reducing possum numbers and spoke of the positive benefits to the environment. He also encouraged anyone who was concerned about 1080 aerial application to visit areas where aerial operations have occurred to experience the results in person. This supports a suggestion made at four hui to include Māori monitoring and assessment of effects in the routine pre- and post-monitoring of areas undergoing 1080 control. To facilitate this process it was suggested that cultural impact assessments be commissioned as part of the Assessment of Environmental Effects process for every 1080 operation.

---

## 6. Discussion

---

The approach adopted by the Reassessment Steering Committee to utilise the extensive Māori network that has been developed by the DOC Kaupapa Atawhai managers was sound. This has enabled the Applicant to get good coverage across a number of iwi. However, it was evident at the five hui I attended that Māori opinion about 1080 is diverse, with varying levels of understanding about 1080 and exposure to the issues surrounding 1080. Furthermore, the historical relationship between DOC and Māori is unique to each region. These all contribute to the level of Māori familiarity, trust, and perceived influence in 1080 matters and the consultation process (Horn & Kilvington 2002). However, there are also commonalities shared by participants at the hui. These include the need for further investigation of acceptable alternatives and more readily available information, inadequate resources for Māori, and building functional relationships with pest control and government agencies.

Although each hui followed a similar format, there were marked differences in how the Kaupapa Atawhai manager responsible for a region ran the meeting. For example, the Kaikoura meeting was well organised and facilitated. The overall process was inclusive and relaxed, and the organisers also provided an opportunity for Māori participants to discuss their issues separately before presenting back to the Applicant group. These were likely factors underpinning participants' positive comments about the hui process and good feedback on their issues relating to 1080. However, it would be inaccurate to attribute the success of the Kaikoura meeting solely to the organisation and not consider some of the contextual factors. Previous Ngāi Tahu initiatives and independent research projects have allowed Ngāi Tahu resource managers to explore and debate some of the technical and management aspects of 1080. This has created a level of familiarity and understanding that was not as evident at the other hui. As a result, the meetings at Kaikoura and Christchurch were devoid of conflict, and participants were eager to engage with pest control agencies in order to move towards reaching acceptable solutions. This was in contrast to an element of distrust and confrontation at the Waitetoko and Napier hui. This may be symptomatic of a lack of appropriate information and inadequate time and resources to discuss and debate these issues and points to the role and value of ongoing contact with Māori organisations.

The minutes from each hui were recorded, using appointed recorders, for a dual purpose. Firstly, as a basis for Māori participants to produce a written submission, and secondly as a foundation for the Applicant to document the major issues of Māori participants. The use of DOC staff and tangata whenua as recorders may not have been the most appropriate mechanism for these hui. The appointment of one dedicated recorder for all the nationwide hui, who is independent of the Applicant organisations, and proficient in Māori language and concepts, would have been ideal because of the frequent use of te reo Māori and/or Māori concepts by the hui participants. This would also have ensured a level of independence of the Applicant organisations, consistency in the reporting, and allowed the tangata whenua recorders at two hui to participate fully in the meeting. Tuputupuwhenua Consultants, the company charged with the responsibility of analysing Māori submissions, were not present at any of the hui. Therefore, the meeting minutes, in the absence of video or audio transcripts are the only 'official' record of what was said at the hui. However, the 'official' minutes

received from two hui represent a summary of the main points as interpreted by the recorder and are not a written transcript of what was said.

The Applicant presentation was an essential part of the hui, because this was a major source of information about 1080 and the reassessment process for many participants. Despite the presenter's efforts to deliver an objective and impartial presentation, bias did come across mainly through accentuation of the positives of 1080. At one hui, it was suggested by a Kaupapa Atawhai manager that the presentation include both the positives and negatives of 1080. This was also recognised by some participants who thought that the presentation was more about advocating the use of 1080, rather than an objective review. Interestingly the Applicant did not consider contracting an independent consultant/s to conduct consultation as suggested in the ERMA document "Working with Māori under the HSNO Act" Consultation Guidelines (ERMA 2001). The other function of the presentation, in addition to providing information about 1080 and the reassessment process was to draw out some of the impacts of 1080 on cultural, Māori health and wellbeing, Treaty of Waitangi, and environmental outcomes. However, there was inadequate time allocated in the presentation to explore these issues in detail. The ERMA consultation guidelines (ERMA 2001) provide a good summary of potential issues under each of these outcomes and these could have been used as a good starting point to initiate dialogue with participants.

---

## 7. Recommendations

---

- That any amendment of the consultation process gives consideration to:
  - The alternative consultation model proposed by Māori, which gives clear direction on who to consult (e.g. establish a working party of "key" Māori who are representative of the Māori community) and how to consult (use Māori-specific frameworks).
  - The organisation and facilitation of the hui at Kaikoura as a successful model for carrying out similar meetings.
  - Ensuring that Applicant organisation/s adhere to the principles of reasonable consultation and give consideration to the timing of the hui, appropriate modes of advertising and engagement, and adequate lead-in time to the hui.
  - Human capacity and financial resourcing constraints that are limiting effective Māori participation in this reassessment process.
- That ERMA needs to demonstrate and explain how Māori cultural and spiritual values are incorporated into the decision making process and how they have affected the Authority's final decision.
- That impartial information on 1080 becomes more readily available to Māori in a form that will ensure maximum uptake.
- That the pest control agencies build a greater level of trust with Māori, through ongoing dialogue on the issue of using 1080 and other non-specific toxins for pest management.
- That Ngā Kaihautū Tikanga Taiiao continues to develop and build relationships with Māori organisations to increase the profile of ERMA, the HSNO Act, and the role that Māori can play in this process.
- That pre- and post-monitoring by Māori become a mandatory component of assessment of environmental effects of 1080 operations.

---

## 8. Acknowledgements

---

“Ehara taku toa i te toa takitahi, engari he toa takitini”

I wish to acknowledge all hui participants for allowing me to take part in the hui and record their kōrero to use as a basis for this report; Herb Christophers; the Kaupapa Atawhai managers who have organised and run these hui under difficult conditions and imposing time and financial constraints; Penny Fisher and Chrys Horn for their expert comments on this report; Chrys Horn for assisting in the development of the evaluation survey; and Christine Bezar for editing assistance. Ngā mihi nui ki a koutou katoa.

---

## 9. References

---

Green, W. 2004: The use of 1080 for pest control: A discussion document. Wellington, Animal Health Board and Department of Conservation. 60 p.

DOC 2004: 1080 in action. Wellington, Department of Conservation.

ERMA 2001: Working with Māori under the HSNO Act 1996. Report No. ER-UG-01-3 11/01. Wellington, Environmental Risk Management Authority.

Horn, C.; Kilvington, M. 2002: Māori and 1080. Lincoln, Landcare Research.  
<http://www.landcareresearch.co.nz/research/social/1080.asp>

## Appendix 1 Consultation survey form

### Questionnaire about the Hui Process

#### 1080 Consultation Hui, Date, Location

1. Did you feel that the Applicants (AHB & DoC) presentation gave a balanced view of 1080 and its use?

Very balanced       Balanced       Neutral       Biased       Very biased

2. The Applicant presentation was easy to follow.

Strongly agree       Agree       Neutral       Disagree       Strongly disagree

3. The presentation covered all of my questions about 1080.

Strongly agree       Agree       Neutral       Disagree       Strongly disagree

4. Are there other issues that you feel should have been covered in the presentation?

Yes       No (if yes please comment on the issues that you would like to see in the presentation)

---



---



---



---

5. There was adequate time given to discuss my issues and for general discussion.

Strongly agree       Agree       Neutral       Disagree       Strongly disagree

6. The Applicants (AHB & DoC) will consider and address our issues discussed at the hui

Strongly agree       Agree       Neutral       Disagree       Strongly disagree

7. How did you hear about the hui?

Runanga Rep       DoC or AHB       Other (if other please specify)

---

8. Do you feel that you were notified about the hui early enough?

Yes       No

9. The information that I received prior to the hui was:

Very good                      Adequate                      Neutral                      Inadequate                      Very poor  
                                                                                                                                                       

10. Do you feel that the 1080 reassessment process was explained clearly?

Yes                                      No  
                                     

11. Were you encouraged to write a submission?

Yes                                      No  
                                     

12. Will you be sending in a submission?

Yes                                      No

## Appendix 2 Number of completed surveys from each hui

Venue	Completed surveys	Māori participants who completed the survey (%)
Pounamu House, Christchurch	6*	86
Waitetoko Marae, Waitetoko	5	31
Takahanga Marae, Kaikoura	8	80
DOC Offices, Thames	0	0
Taiwhenua Offices, Napier	12	71
Total	31	60

\* Two surveys were returned with comments written in each question rather than marking the box that most closely reflected their answer.