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RESEARCH ARTICLE



Where to for collaboration in land and water policy development in Aotearoa New Zealand? Guidance for authorising agencies

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ABSTRACT

For the past decade, collaboration has been the preferred method of devising land and water policy in Aotearoa New Zealand to achieve agreed outcomes. However, the use of collaboration in policymaking is at a crossroads, as some argue it is unrealistic to expect stakeholders and tangata whenua with competing interests to work in partnership on contentious policy issues. To help clarify the future direction of collaboration, this paper provides authorising agencies (those with responsibility for the policy problems) with prompts to reflect *ex ante* on the advantages and disadvantages of pursuing collaboration. Based on a retrospective review of collaborations in New Zealand's land and water policymaking, and a two-day symposium with collaboration practitioners, we identify situations that are potentially less suited to collaboration owing to factors that are challenging to overcome through process design. Four issues that affect the success of collaborations are identified: the nature of the policy problem, the personal and collective qualities of those involved, power relationships, and the collaborative process. Finally, we draw together practical lessons from history, the symposium, and the literature to develop a list of questions for authorising agencies to use to reflect on the advantages and disadvantages of pursuing collaboration.

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Introduction

When democratic governments create policy, citizens expect that affected parties will be included in the decision-making process (Irvin and Stansbury 2004; Lane 2005). This expectation has led governments over the last 30 years to shift from predominantly

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consultation-based policymaking towards collaboration (Wanna 2008; Eppel 2013; Fraussen and Halpin 2017). In the context of policymaking, we define collaboration as a process that ‘brings public and private stakeholders together in collective forums with public agencies in consensus-oriented decision making’ (Ansell and Gash 2008, p. 543), generally to achieve an agreed outcome or a set of common goals. In response to this shift in policymaking, researchers have developed theoretical design principles for collaboration (Fung and Wright 2003; Innes et al. 2007; Emerson et al. 2012) and have described case studies of collaborative policymaking in practice (Imperial 2005; Kallis et al. 2009; Gillett et al. 2016; Cradock-Henry et al. 2017). These case studies show that collaborations result in different forms of knowledge influencing decision making, better-quality decisions, greater acceptance of decisions by the public, reduced conflict, and the development of social capital (Sabatier et al. 2005; Von Korff et al. 2012). However, other studies show that collaborations can entrench existing power imbalances in decision making, incur high costs on collaborators, be time consuming, and be likely to fail if they are poorly designed and implemented (Weible 2008; O’Flynn 2009; Margerum 2011; Brisbois and de Loë 2016).

Despite the recent growth of collaborative policy processes, researchers remain vexed as to when it is advantageous to adopt a collaborative process over other participatory mechanisms. For example, in a review paper Örjan Bodin (2017) argued that ‘future efforts are needed to determine when and in what contexts collaborative approaches are effective, and when other approaches to solve environmental problems are better suited’. To help address this gap, this paper provides those authorising agencies responsible for resolving policy problems (e.g. local governments) with prompts to reflect *ex ante* on the advantages and disadvantages of pursuing collaboration. We argue that collaboration is worth pursuing if the process will create a collaborative advantage for all participants. The concept of collaborative advantage can be defined as the synergy that ‘can be achieved by integrating the resources and expertise of one organization with that of others’ (Vangen and Huxham 2006, p. 3) and is used in this research to better understand when it is advantageous to collaborate over land and water policy design. Our research contributes to recent scholarship that argues that a collaborative advantage is influenced by the material, political, and social contexts in which collaborations occur (Bryson et al. 2016; Lahat and Sher-Hadar 2019).

Our research is set in a context where collaboration as the basis for land and water policymaking in New Zealand is currently at a crossroads, with some stressing that collaboration unfairly favours development interests over conservation interests (Brower 2016), while the current Minister for the Environment questions the efficacy of collaboration, and especially whether consensus-based agreements on contentious policy are possible (Hancock 2018). Collaboration has always been a contentious and contested process, but we believe this only captures part of the story. By inviting practitioners of New Zealand’s land and water collaborations to discuss their experiences at a symposium, we aimed to help authorising agencies identify the material, political, and social contexts where a collaborative advantage for all collaborators can be achieved.

This paper makes four contributions to scholarship on land and water collaborations:

- (1) We introduce the concept of ‘collaborative advantage’ – developed in management literature – for the first time into environmental governance. We argue that

collaborative advantage is a tool to enable identification of contexts that are more suitable to collaboration.

- (2) We propose four aspects of collaboration that can help authorising agencies decide whether there is collaborative advantage: the nature of the policy problem, the personal and collective qualities of those involved, power relationships, and the collaborative process.
- (3) We highlight the importance of identifying both the right context and the right design to achieve collaborative advantage.
- (4) We propose a set of questions that can be used by authorising agencies to determine if the context and collaborative design will achieve a collaborative advantage.

The next section is a brief review of the literature on collaboration, focusing on environmental policy. Following this we present the different national, regional, catchment-, and sub-catchment-scale land and water collaborations in New Zealand to provide some history and context for why collaboration is contested, despite its relative popularity. We then present the research methods used in this study, including a two-day symposium with collaboration practitioners in New Zealand. These practitioners identified the four key themes described above, and we discuss these in light of the relevant literature. Finally, based on all these inputs, we argue that each collaborative process should be explicitly negotiated up front with partners to maximise collaborative advantage, and conclude with a set of questions that provide the basis for this negotiation.

Collaboration in environmental policy

Collaboration in decision making aims to engage citizens and other stakeholders in designing and implementing public policy (Weber 2003; Sabatier et al. 2005; Ansell and Gash 2008). The fields of public administration (Vigoda 2002), planning (Healey 1997; Forester 1999), and environmental management (Koontz et al. 2004; Heikkilä and Gerlak 2005) approach collaboration differently, but they have all identified the following potential benefits: shared learning between collaborators, a consensus-focused decision-making process, and the assumption that decisions will be fairer and more equitable (Von Korff et al. 2012).

Developing land and water policy through collaboration is popular globally (Kallis et al. 2009; Lubell and Lippert 2011; Emerson et al. 2012; Benson et al. 2013; Emerson and Nabatchi 2015; Cradock-Henry et al. 2017; Tadaki et al. 2020). People value land and water resources for many different, often non-productive, reasons, but these often come into conflict with 'externalities' from productive uses. Collaboration, involving a broad range of interests and values, has been proposed as a way to manage such conflicts in policy development (Innes and Booher 2010). However, some have questioned if collaboration will result in better environmental outcomes than traditional hierarchical decision-making processes (Koontz and Thomas 2006; Newig and Fritsch 2009; Gerlak et al. 2013; Young et al. 2013; Brower 2016). It is argued that linking collaboration to environmental improvements is difficult because of the lack of data to demonstrate and quantify these links, the long time horizons between actual implementation and any measured environmental change, and difficulties in untangling multiple interacting variables and factors (Koontz and Thomas 2006; Newig and Fritsch 2009; Foote et al.

2020). Still others go further and argue that collaboration is undemocratic and favours development interests over conservation interests (McCloskey 2000; Brower 2016).

As a result, the ability of collaborative policy processes to achieve both procedural outcomes (e.g. environmental improvements) and intermediate outcomes (e.g. stakeholder consensus and support) is in doubt. In response, researchers have closely examined how collaborative and participatory processes influence the achievement of both procedural and intermediate outcomes (Emerson and Nabatchi 2015; Scott 2015; Jager et al. 2020). In this paper, rather than providing an *ex post* assessment of collaboration outcomes, we provide prompts – influenced by both practice and theory – to inform an *ex ante* assessment of the suitability of different settings and context for a collaborative policy process. We use the concept of collaborative advantage to better understand what contexts are suitable for collaboration.

Collaborative advantage occurs when public, private, and civic actors achieve together what they cannot achieve on their own (Kanter 1994; Vangen and Huxham 2006; Bryson et al. 2016). Collaborative governance is often implicitly or explicitly justified on the basis of a collaborative advantage (Doberstein 2016). Despite this, the literature on land and water collaborations is almost silent on how to achieve a collaborative advantage, with researchers typically focusing on the development of design principles (Fung and Wright 2003; Innes et al. 2007), understanding what makes a collaboration effective (Leach and Sabatier 2005; Biddle and Koontz 2014; Emerson and Nabatchi 2015), and describing what works well and what does not work well in practical case studies (Heikkila and Gerlak 2005; Imperial 2005). The outputs from this research are often recommendations for different principles or factors that collaborators ought to adhere to. In practice, collaborations will rarely be able to incorporate all these different principles or factors into their design, so the question remains: When is it appropriate to collaborate?

To help answer this question we conducted a symposium with land and water collaboration practitioners, who helped devise questions and prompts for authorising agencies to identify the conditions for achieving collaborative advantage in land and water policy-making. In response to Bodin (2017), we consider the context and design of collaborations in their socio-ecological contexts to see if issues can be negotiated up front between different collaborators to achieve collaborative advantage. We argue that this negotiation is necessary because the material, social, and political contexts will affect collaborators in different ways, and so negotiation prior to a collaboration's design is essential to understanding and potentially surmounting these differences.

The next section provides an overview of collaborative land and water policy processes that have occurred in New Zealand at the national, regional, catchment and sub-catchment scales. This provides a context for why collaboration is contested as a policy process in New Zealand, despite its popularity.

The role of collaboration in New Zealand's land and water policy

National collaboration

One of the best examples of national collaboration has been the Land and Water Forum (LAWF), which was established with government support in 2009 to develop a shared,

country-wide, stakeholder-led vision for freshwater management. Both the primary collaboration and the technical working groups had Māori representatives, and LAWF made direct recommendations to central government through five reports between 2009 and 2018 (e.g. LAWF 2012).

LAWF was inspired by Nordic models of collaboration (Salmon and Zilliacus 2007; Eppel 2013), and Salmon (2008) has argued that collaborative governance ‘may be the most appropriate way for New Zealand to move toward a sustainable agriculture sector’ (p. 8). Under the Nordic model all affected parties must be invited into the collaboration. LAWF therefore invited experts from primary industries, and representatives from iwi/hapū, electricity generation, environmental and recreational groups, and research organisations to be involved. Local and central government members were also included as active observers. The process was not completely smooth, with the New Zealand Fish and Game Council leaving the forum in 2015, citing concerns that central government was selectively implementing LAWF’s policy recommendations (Gorman 2015). Similar concerns, along with general frustration at the Government’s handling of freshwater issues, resulted in Forest & Bird, the Federated Mountain Clubs, and the Environment and Conservation Organisation leaving LAWF in 2017. Environmental groups leaving the collaboration created an impression these groups were disempowered by the collaboration in contrast to commercial farming interests (Mitchell 2017). Nevertheless, LAWF was able to complete its work as planned in July 2018.

Regional collaborations

Regional freshwater collaborations have not had the same influence over decision making as LAWF or catchment-scale collaborations. One example of a regional freshwater collaboration is the Canterbury Regional Water Management Committee, established following recommendations made in the Canterbury Water Management Strategy for nested catchment, regional, and national freshwater authorities (Canterbury Mayoral Forum 2009), an approach inspired by Ostrom’s (1990) design principles for managing common-pool resources. This committee addressed both issues covering multiple catchment-scale zones and specifically regional issues.

Another example is the Southland Regional Forum, created in 2018 to advise the regional council and the Te Ao Marama Board (the resource management arm of the local Ngāi Tahu ki Murihiku) on community values, interests, and objectives for freshwater.

Catchment and sub-catchment collaborations

Over the last two decades, several different catchment and sub-catchment-scale collaborative policymaking processes have been established (Sinner et al. 2017; Duncan and Robson-Williams 2018; Turner et al. 2020). Table 1 compares these collaborations in terms of membership, decision making, and mandate. In these council regions there are often multiple sub-regional collaborations. For example, in Canterbury there are 10 different zone committees; in Tasman there are two Freshwater and Land Advisory

Table 1. Comparison of catchment- and sub-catchment-scale collaborations on membership, decision making, and mandate (adapted from Duncan and Robson-Williams 2018, p. 24).

Council	Participants	How participants are chosen by local governments and iwi	Type of decision making	Mandate and/or power of group
Northland	Hapū and iwi, stakeholder groups including community members, district and regional councillors (group size: c. 19).	Advertised expression of interest; process for sector groups to choose representatives.	Consensus.	Provide consensus recommendations on plan changes. Council staff use these recommendations in drafting a plan, which then goes to council for final decision making.
Waikato	Iwi, stakeholder groups and community representatives (group size: 24).	Advertised expression of interest.	Consensus with unanimous decision-making protocol. River iwi and council are responsible for final decisions on plan changes.	The group drafts regional plan changes for approval by statutory co-governance group and council.
Bay of Plenty	Hapū and iwi, stakeholder groups, including community members identified as representing sectoral interests (e.g. rural, urban, recreational, forestry). (Community group size: 20–25).	Advertised expression of interest.	Consensus.	Water advisory group provides recommendations to council. Council staff use recommendations to draft a plan, which then goes to council for final decision making.
Hawke's Bay	Hapū and iwi representation as well as stakeholder groups (group size: c. 30).	Initial stakeholders identified by Council; gaps were identified, and then different sectoral interests nominated someone to be their representative.	Consensus.	The group provides consensus recommendations regarding objectives, policies, and methods, including rules for a plan change.
Greater Wellington	Iwi representation, district councillors, chosen community members (group size: 13–17).	Advertised expression of interest for community members; process for tangata whenua to select rūnanga representation.	Consensus.	Created <i>Whaitua Implementation Programme</i> , a non-statutory report which contains recommendations for specific plan changes and work programmes within the Whaitua boundary.
Tasman	Iwi-appointed representatives, community-based membership with a regional councillor (group size: 12).	Advertised expression of interest.	Consensus.	Provide recommendations to council in the form of a general document that council staff use as a basis for drafting the regional plan.
Canterbury	Rūnanga representatives, regional and district	Advertised expression of interest for community	Consensus.	Created <i>Zone Implementation Programme</i> , a non-

(Continued)

Table 1. Continued.

Council	Participants	How participants are chosen by local governments and iwi	Type of decision making	Mandate and/or power of group
	councillors, chosen community members (group size: 10–15).	members; process for tangata whenua to select rūnanga representation.		statutory report which contains recommendations for specific plan changes and gives effect to the Canterbury Water Management Strategy.
Southland	Community members (group size: 15).	Advertised expression of interest; a panel of Environment Southland councillors and Te Ao Marama chairman shortlisted candidates and then selected members.	Consensus.	Provide recommendations to council and Te Ao Marama to update the Southland Water and Land Plan to implement the National Policy Statement for Freshwater Management

Groups (FLAGS); and in Wellington there are five whaitua. Canterbury has also had a mix of regional, catchment, and sub-catchment-based collaborations.

Māori representation occurred in all examples, with regional or district council representation in most. It is noteworthy that Māori and local government collaborators are typically asked to represent themselves, whereas community participants (volunteers selected by the authorising agency) are typically asked to represent broader public interests rather than their own individual interests (e.g. Canterbury’s zone committees and Wellington’s whaitua). In contrast, Hawke’s Bay Regional Council’s TANK collaboration (Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments) chose collaborators to represent particular sectoral interests – such as farming, horticulture or conservation – alongside iwi representatives who sat across all of these sectors (Sinner et al. 2017).

Most catchment-scale collaborations embraced consensus decision making. The Canterbury Water Management Strategy was praised for its consensus-based approach to decision making. This, along with the passage of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010 (which allowed the Canterbury Regional Council to remove appeal rights to the Environment Court, speeding up policy and plan development), was credited with overcoming policy stagnation that had developed over the previous two decades (Lomax et al. 2010).

One feature of catchment collaborations is that they do not have final decision-making power. They typically offer recommendations to local governments, although these recommendations differ in their specificity. For example, in Greater Wellington and Canterbury the collaboration writes a non-statutory plan update, which forms the basis for geographically specific rules to be added to an official council plan. By contrast, in the Tasman District a collaboration makes general recommendations, which are then used by the council as the basis for drafting a new plan.

Despite the growth of catchment and sub-catchment land and water collaborations in New Zealand, they remain a contested policy process. Environmental groups leaving LAWF created the impression that these processes favoured commercial farming

interests over environmental interests, which subsequently fuelled arguments that the collaborations would not result in better environmental outcomes than conventional policy processes (Brower 2016). This, combined with local governments retaining most of the decision-making authority, explains why many New Zealanders are sceptical about the benefits of land and water collaborations.

The next section outlines our approach to the literature review presented above, as well as to the symposium, with the remainder of the paper reporting and discussing the findings of the symposium.

Methods

The historical review of collaboration presented above is based on documentary and archival evidence. Starting with foundational New Zealand papers, we used a snowball technique, along with Google Scholar searches, to identify relevant papers. Additional information was sought from government publications, newspaper articles, and official statistics.

The paper next presents the results of a two-day symposium framed around the question: When should we *not* collaborate? The aim in asking this question was to prompt participants to reflect on when it is worth continuing to pursue collaboration, and, if it is worth pursuing, under what contexts and conditions collaboration is likely to achieve an advantage for all.

The 17 participants (excluding the three organisers MR-W, GB, NK) are all involved in New Zealand's land and water policy and were chosen to represent a diverse range of experience, knowledge and expertise, as well as a gender balance. Participants came from tangata whenua, industry sectoral groups, local and central government, environmental non-government organisations, and the research sector, with the last group providing expertise in soil and nutrient modelling, systems, psychology, co-innovation, governance, indigenous research, interdisciplinary research, and farm systems. The symposium received social ethics approval through Manaaki Whenua's internal social ethics process (application number 1819/19).

Following the approach developed by Bammer (2015), before the symposium began all participants wrote a two-page reflection addressing the question of when not to use collaboration. The term 'collaboration' was deliberately not defined, nor was the context specified, to avoid limiting the participants' thinking. Following this, the project organisers sent each participant two of the other contributions and asked them to reflect on similarities, differences and any new ideas they sparked, and to use this as the basis for a 10-minute presentation for the two-day symposium. Prior to the symposium starting, the project organisers extracted key themes from the two-page reflections to guide the symposium discussions. According to Bammer (2015, p.6), this process is 'an efficient way of sharing the information produced, getting everyone up to speed and initiating engagement between the participants'.

Symposium presentations included ample time for discussion. This discussion focused on the presentations, the key themes identified by the organisers, and the synthesis topics identified during the symposium.

The results presented next are a synthesis of the pre-symposium reflections, the symposium presentations and discussions, and the notes that all participants at the symposium were asked to make and share. The synthesis was undertaken by the project

organisers, with input from the participants. Two of the project organisers (MR-W, NK) identified themes from the collected data using methods outlined by Braun and Clarke (2006). All participants were invited to provide input at various stages during the synthesis and writing process.

Results: experiences of practitioners involved in collaboration in New Zealand's land and water policy

Four themes related to negotiating a collaborative advantage were identified by the symposium participants. They were: the nature of the policy problem, the personal and collective qualities of those involved, power relations, the collaborative process, and available resources.

Theme 1 – The policy problem

Three main characteristics of policy problems were identified: the urgency of response, the complexity of the problem, and control of the agenda. Concurring with Bodin (2017), symposium participants felt that problems demanding an immediate response, such as a flash flood, were not appropriate for collaboration. This revealed an associated issue that collaboration is suited to problems that permit time to be spent building relationships and trust between partners. This is crucial, as past research has identified trust as the lubricant that enables collaborations to run smoothly (Huxham and Vangen 2005; Ansell and Gash 2008; Emerson et al. 2012).

Straightforward problems, where the required action is evident and uncontentious, were also seen as not requiring collaboration. It was agreed that collaboration was advantageous when there are different options for responding to the problem and when key players disagree about what should be done. Interestingly, there was disagreement about whether collaboration was suitable for the most complex problems; for example, when there are major value conflicts, a high degree of politicisation, or a history of unresolved conflict. Some argued that collaboration is not suitable in this context because it will be difficult to get collaborators to agree on a shared goal, vision, and problem definition. However, other participants observed that collaboration is most necessary for the hardest and most stubborn conflicts – exactly those where it is extremely challenging to successfully implement a collaborative approach.

The symposium participants also agreed that collaboration should not be pursued if one person or organisation sets the agenda for action, as this can limit the view of the problem and the scope of the debate, as well as excluding critical voices or solutions from the discussion. In previous research, one cited benefit of wide inclusion of collaborators has been to ensure issue and opportunity coverage (Leventon et al. 2017; Baird et al. 2019). Thus, the broader the collaboration membership, the lower the chance an agenda will be captured by one influential collaborator.

Theme 2 – Personal and collective qualities

Symposium participants also noted that the individual and collective (group) qualities of collaborators can determine if collaboration is likely to be advantageous.

The symposium participants identified individual attributes necessary for collaborative processes, such as the ability to reach compromises, empathy for those with different values, and the ability to comprehend and understand knowledge and information from diverse sources. The ability to communicate proposals with the wider community, although not critical, was identified as useful. This aligns with research on collaboration which argues that boundary spanners – actors who can connect different individuals – increase mutual trust in collaborations and build support for addressing common problems (Österblom and Bodin 2012; Van Meerkerk and Edelenbos 2014).

The participants also argued that individuals should not enter into a collaboration solely for self-serving reasons and interests, although collaboration will only work if all participants gain at least some benefit from the process.

The values and perspectives of collaborators can affect the success of a collaboration. If collaborators hold very diverse values it can be difficult to come to an agreement on a shared goal, vision, or problem definition. However, if there is negligible diversity in values and perspectives, there may be little benefit to collaborating, with collaboration potentially resulting in policy inertia, inhibiting future policy measures to address environmental problems (Fischer 2014).

Several participants observed that Māori may have different interests and perspectives from non-Māori collaborators, but values can be equally diverse within both groups. Given this, Māori knowledge and perspectives should not be confined to discussion of cultural values, but expanded to include wider discussion on a range of political, social, environmental, and economic issues.

It was suggested that lack of diversity among collaborators in gender, age, ethnicity, perspective, and background reduces creativity and perspective, as well as the quality of the end product. It also affects the legitimacy of the process: if there is low intra-group diversity, the agreement or recommendations developed may be narrow and not reflect the knowledge of and views held by the community. However, researchers argue that wider inclusion runs the risk of introducing uncooperative participants (Scott et al. 2019) as well as different veto points (Newig et al. 2018). Given this, authorising agencies ought to carefully and strategically consider the personal and collective qualities of potential participants when deciding whether to pursue a collaboration.

Theme 3 – Power relations

The way in which power is shared, ceded, and balanced is an important factor in collaborative success. As seen earlier, limiting the scope of who collaborates can result in powerful individuals capturing the agenda. However, expanding the scope of who collaborates can inhibit the ability of a collaboration to reach practical agreements. There are examples of collaborations riddled with power asymmetries that were unable to resolve the problems they had been formed to address (Shellenberger and Nordhaus 2009; Zachrisson and Lindahl 2013).

Symposium participants agreed that collaboration should not be pursued if those involved are not willing to cede some of their power. Using a conceptualisation of power developed at the symposium as comprising three types – structural power (held within legal frameworks), social power (held by organisations or individuals with status and respect), and moral power (held by organisations or individuals who speak

for shared interests) – the symposium participants argued that all collaborators need to see that others are willing to cede or share relevant forms of power. For example, local governments may need to cede some form of structural power, or at the very least be willing to commit to implementing the final decision. Sectoral interests such as farmers may need to cede some form of social power, and environmental interests may need to cede some form of moral power. Nevertheless, it is impossible to eliminate all power imbalances, and effective collaborations need to identify and manage any remaining differences.

Issues specific to Māori were highlighted. Treaty partnership means that Māori (e.g. iwi/hapū) have indigenous rights and interests (e.g. mana whenua, rangatiratanga, tino rangatiratanga) and share power with the Crown in good faith where they share decision-making authority over all matters of resource management. Some participants thought that unless Māori are invited to exercise a central or partnership role alongside local or central government, a collaborative policy process should not be used. This means that Māori should be involved at all stages (e.g. problem framing through to policy implementation) and at all levels (e.g. co-governorship through to participation on community collaborations) of the collaborative process. In practice, most collaborations have engaged Māori as participants or stakeholders rather than as decision-making partners.

However, some symposium participants argued that a partnership model presents considerable challenges for local governments. One challenge is identifying whether local governments, as subsidiaries of Parliament, should also be considered ‘the Crown’. As Hayward (2002) asked:

If the Crown devolves some of its power and governance to local government, but does not devolve any responsibility for Treaty partnership, how does that partnership get exercised in relation to the functions the Crown no longer performs itself?

In some cases, Treaty settlements provide the comprehensive legislative framework to implement specific co-governance roles for both the Crown (i.e. central Government) and for iwi/hapū Māori, enabling a partnership model between local government and Māori in distinct regions or catchments (e.g. the River Settlement Acts; Waikato Regional Council 2018). However, in most cases it has been local governments taking the initiative to include Māori in collaborations. Uncertainties over the role of Māori in land and water collaborations are compounded by the fact that Māori legal and customary rights and interests in freshwater have not yet been fully recognised (Taylor et al. 2020).

Theme 4 – The collaborative process

The symposium participants discussed how collaboration is conceptualised in New Zealand and the problems that emerge from the lack of a nationally agreed definition of collaboration, as well as how competing policy processes and local government non-participation can affect collaborations. A common definition of collaboration suited to the New Zealand context was deemed necessary to allow for easier comparison between different collaborations and to consider the unique constitutional relationship between the Crown and Māori.

An agreed definition would also solve a concern expressed by some participants that the term ‘collaboration’ is used too loosely in the New Zealand context – being used for

processes that are actually ‘consultation’, for example – which has exacerbated doubts about its effectiveness. Two possible definitions of collaboration were discussed:

- ‘a process in which organisations exchange information, alter activities, share resources, and enhance each other’s capacity for mutual benefit and a common purpose by sharing risks, responsibilities, and rewards’ (O’Flynn 2009, p. 114)
- the authorising agency partnering ‘with relevant players in each aspect of the decision, including the development of alternatives and identification of the preferred solution’ (IAP2 2020).

It was also argued that any definition should include kaupapa Māori practice, values, and principles (e.g. tikanga, kaitiakitanga, rangatiratanga, mana) that draw on mātauranga Māori (Māori knowledge) and that have guided Māori protocols and practices towards successful collaboration (e.g. hui, wānanga, mahi tahi, ngā tahi) for centuries. For example, a definition should include concepts such as those based on a ‘kaupapa’, which means to embrace collective action from the onset to work towards a shared goal or common purpose.

In addition, some have argued that when collaborative committees provide recommendations to local governments (which, as Table 1 highlights, is the mandate of most collaborations in New Zealand), the process falls short of Salmon’s (2008) conceptualisation of genuine collaborative governance in which decision-making power is held by the collaborative group. Others have pointed out that co-governance and co-management between Māori and the Crown create a form of partnership rather than a community collaboration. The symposium participants also argued that formal collaborations should always include relevant authorising agencies, such as local government, otherwise such agencies might be reluctant to accept or implement recommendations, or might consider them unworkable.

An example of this in the New Zealand context was the Hurunui-Waiaru Zone Committee in North Canterbury, where nutrient limits proposed by the Committee were changed at the suggestion of regional council planners (Thomas 2014). Zone Committee members ‘were suddenly confronted with the fact that the collaborative process ... had been circumvented’, in part because regional council planners considered their limits unworkable (Thomas 2014, p. 107). Given these experiences, local government representatives should provide advice on whether recommendations could be practically and legally implemented. For some symposium participants it was critical that local governments retain legal responsibility in collaborations, and for this reason they ought to be present in all collaborative policy discussions.

Discussion

The challenge addressed by this paper is to identify *ex ante* when adopting a collaborative process for land and water policy is advantageous. We examined this challenge within the specific context of New Zealand’s land and water policy. By inviting practitioners with experience of such collaborations to share their perspectives, and synthesising this with lessons from the literature, our analysis is rooted in both practice and theory.

Many of the themes we identified resonate with past New Zealand and international research on collaboration. For example, the symposium findings support previous research showing that effective collaborations require careful consideration of group membership (Susskind and Cruikshank 1987) and diversity (Syed 2019), with that diversity needing to include broad representation of values and interests (Ostrom 1990; Schuman 2006; Innes et al. 2007). Representation is particularly important because exclusion of certain stakeholders can threaten the legitimacy of the entire process (e.g. Gray 1989; Cash et al. 2003), potentially leading to the failure of collaboration (Reily 2001). Power imbalances also undermine collaborative advantage (Susskind and Cruikshank 1987; Gray 1989; Short and Winter 1999; McCloskey 2000; Warner 2006; Ansell and Gash 2008), but there are ways to help disempowered groups to contribute (Merkhofer et al. 1997; Schuckman 2001). The literature also highlights the importance of time in collaborations, especially to build social and human capital, trust, and good will (Yaffee and Wondollock 2003; Hepi et al. 2007; Ansell and Gash 2008; Cradock-Henry et al. 2017).

Our symposium findings reveal the importance of both context and design in determining *ex ante* whether collaboration is worth pursuing (Kiparsky et al. 2017). We believe our focus on *ex ante* assessment of context and design to ensure a collaborative advantage is unique in the collaboration literature. Previously, scholars have noted that heterogeneity in local biophysical and social contexts presents challenges to collaboration (Hughes and Pincetl 2014; Bodin 2017) and helps explain divergent outcomes from similar collaborations (Bell and Scott 2020). Given this heterogeneity, we recommend that authorising agencies negotiate certain issues with collaborators before establishing a collaboration, to see if the context and design will enable a collaborative advantage for all parties. In effect, we propose a period of negotiation before a collaboration to determine if collaborative advantage can be achieved.

For example, when contemplating context *ex ante*, our symposium participants suggested that collaborations were not suited to problems that require an immediate response or where the agenda is set by one group or individual. When contemplating design *ex ante*, symposium participants argued that authorising agencies ought to be included and that broad representation of interests is important.

We have derived two sets of questions (see below) that provide collaborating partners (including authorising agencies) with the basis for negotiating and achieving a collaborative advantage. We suggest that these questions offer a pathway for the future development and refinement of land and water collaboration in New Zealand and elsewhere. We define authorising agencies as organisations that assume responsibility for the policy problem. They could be organisations with statutory power, such as local governments, or organisations representing a local community, with no statutory power. Authorising agencies do not necessarily need to lead or run collaborations, although, as discussed previously, there are strong arguments that they should be involved. The questions address resources, context, and the collaborative process, and the 'we' in the questions refers to the potential collaborators as well as the authorising agency.

(1) What else is going on that could affect the process and scope of the collaboration?

Sub-questions: Are there political, economic, historical, cultural or other 'big picture' circumstances that may affect the collaborative process or the adoption of its findings?

Rationale: No collaboration is immune from being derailed by a change of government, economic downturn, historical antipathies, or other contextual factors. These contextual factors could result in some potential participants not being confident that a collaborative process will benefit them. Authorising agencies and potential participants need to consider if these concerns can be addressed through the design of the collaboration. If contextual issues cannot be resolved, and there is no willingness to negotiate the scope of the collaboration with participants, it is worth considering if processes other than collaboration might be more effective.

- (2) When considering the parameters for the collaboration we need to ask:
 - (a) What role will the authorising agency play?
 - (b) Who will potential participants represent? How will minority or indigenous parties be involved? How will diversity be ensured?
 - (c) What will the mandate of the collaboration be?
 - (d) What will the scope of the collaboration be (e.g. which issues are considered and which are not)?
 - (e) How will decisions be made about establishing and running the collaboration?
 - (f) How will the problem be defined and the desired outcomes decided?
 - (g) How will power differences be handled?

Sub-questions: Which parameters will the authorising agency set and which will be negotiated with collaborating partners? Is there a clear process for deciding how this negotiation will occur? Is this process justified? Is there anything the authorising agency and collaborators cannot be transparent about? If collaborators object, is the authorising agency open to making changes? Rationale: No collaboration is designed perfectly and there is no universal tipping point for when the extent of imperfections means there is no collaborative advantage. But three issues are worth considering: Is what is proposed really a collaboration?, Have the expectations and scope been set appropriately?, and How will objections be managed?

Let's take each of these in turn. Sometimes the engagement that is proposed may be called a 'collaboration' but is actually something else (e.g. consultation). The authorising agency needs to ask itself, 'Is collaboration what we actually have in mind or are we just planning to get input, but keep firm control of the process and decision making?' The point here is not that the process must be a collaboration; rather that it should be accurately described and labelled. Partners might choose to leave a process if it has been mischaracterised or mislabelled a collaboration.

This links with the next issue of expectation management. It is not just that the process should be accurately labelled, but also that the key elements of the process (those outlined in sub-questions a – e above) should be negotiated with potential participants up front. For example, authorising agencies should negotiate with participants about the framing of the problem, how this framing will occur, as well as the general scope of the collaboration. Authorising agencies should also think through how they will solicit feedback from participants and manage objections and complaints. If criticisms are brushed aside rather than being seen as an issue that needs to be negotiated, participants may be left with no alternative but to leave the collaboration.

Conclusion

This paper responded to Bodin's (2017) call to determine when and in what contexts collaborative approaches are better suited to resolving environmental problems than other participatory approaches. In response, the project posed the question 'When should we *not* collaborate?' to practitioners with experience in land and water policy collaborations in New Zealand. Using the concept of collaborative advantage to help identify *ex ante* when it is worth pursuing collaboration, we created a series of questions and prompts for authorising agencies to reflect on whether the context and design will help achieve an advantageous collaboration for all participants.

Collaboration remains a contested policymaking process. We suggest the prompts and questions developed in this paper offer a potential pathway for future development and refinement of land and water collaboration in New Zealand and elsewhere. However, we recognise that further work is necessary to empirically test these prompts, in both the New Zealand and international contexts, in order to confirm they are effective guides for policymakers.

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Appendix 1 – Māori glossary

Hapū – pregnant, kinship group, clan, tribe, subtribe; large kinship group in smaller areas, districts, with *whakapapa* to common ancestors; primary geographic, social, and political unit in traditional Māori society; a hapū comprises several *whānau*.

Hui – gather, congregate, assemble; meeting, discussion, collaboration, under tikanga and kaupapa

Kaitiaki – groups that demonstrate guardianship or tiaki care for the environment through practice and active exercise

Kaupapa – topic, policy, programme, agenda, framework to provide direction and scope to a meeting

Iwi – bones; extended kinship group, tribe, nation, people, nationality, race; often refers to a large group of people with common *whakapapa* to ancestors, and is often associated with distinct territory or regions; an iwi comprises several *hapū*.

Mahi tahi – to work together, collaborate, cooperate.

Mana whenua – indigenous individuals and groups with authority and power for a given area, through ancestral lineage (*whakapapa*) and occupation, and those with status under Treaty of Waitangi legislation

Māori – indigenous first nation New Zealander, with *whakapapa* to land, people.

Marae – social and cultural centre, courtyard, the open area in front of the wharenui (large carved house), where formal greetings and discussions take place; the term is often used to include a complex of buildings.

Ngā tahi – working together in a unified or cooperative fashion, collectively, to achieve common goals.

Rūnanga – council, tribal council, assembly, board, boardroom, *iwi* authority; assembly called to discuss issues of concern to *iwi* or the community.

Taiwhenua – rural, permanent home; denotes tangata whenua groups established in the Hawke's Bay with authority over resource management.

Tangata whenua – indigenous local people of the land; people connected to the land – at home in an area, naturalised, therefore having authority and status.

Tikanga – rules, customs, values, correct procedure, custom, habit, lore, method, manner, rule, way, code, meaning, plan, practice, convention, protocol; the customary system of values and practices that have developed over time and are deeply embedded in the social context.

Wānanga – to meet, discuss, deliberate, learn, share knowledge in an intensive workshop under tikanga (rules, customs).

Whaitua – designated area, region, territory, domain.

Whakapapa – ancestral lineage, ancestry, genealogical sequence; layers.

Whānau – to be born; extended families, large family group, with common ancestors.