

## **Q and A: The Final Report on the MV *Rena* and Motiti Island Claims**

### ***What has the Waitangi Tribunal recommended in this report?***

The Tribunal has recommended that the Crown participate actively in the upcoming resource consent process, paying particular regard to how it can protect Māori interests in that process, and that it consider how it can actively assist Māori to participate in the resource consent process.

### ***How does the Tribunal's final report relate to the interim report it released earlier this year?***

The Tribunal released an interim report on 18 July 2014 to inform the then-pending all-of-government response to the *Rena* owners' resource consent application. Because the Crown was due to make a decision in the month following the end of the Tribunal's hearing, the interim report focused only on the Crown's consultation with Māori *after* the Crown signed three deeds with the *Rena* owners. The final report adopts the findings of the interim report and instead largely focuses on the Crown's conduct in signing the deeds with the *Rena* owners in October 2012.

### ***Does the Tribunal's report mean that the wreck of the *Rena* will be removed from the reef?***

No. The Tribunal's inquiry has only been concerned with Crown conduct surrounding its settlement with the *Rena* owners that the claimants allege was inconsistent with the principles of the Treaty of Waitangi. The removal of the *Rena* is the responsibility of its owners. They have now sought resource consent to leave the wreck on the reef, meaning that the decision-maker in the resource consent process, in this case the Environment Court, will make the ultimate decision about the fate of the wreck of the *Rena*.

### ***Who are the claimants?***

The claimants are the Motiti Rohe Moana Trust, the Ngāi Te Hapū Incorporated Society, and the Mataatua District Māori Council. These groups represent Māori who live on or affiliate to Motiti Island.

### ***Why is Otaiti (Astrolabe) Reef significant to Māori?***

In its report, the Tribunal explains that Otaiti Reef is regarded as a taonga by Māori due to its cultural, spiritual, and historical importance. The reef was named by the tohunga (priest) Ngatoroirangi who performed karakia there as Te Arawa waka arrived in the Bay of Plenty, and was subsequently used as a navigational point for journeys to and from Hawaiki. Otaiti has also long been utilised by a range of hapū and iwi groups as a traditional hapuka fishing ground and as a valuable traditional kaimoana gathering resource for other species.

### ***What happens next?***

The Bay of Plenty Regional Council has referred the *Rena* owners' application directly to the Environment Court, where it is expected to be heard some time in 2015.

### ***Where can I get a copy of the report?***

The pre-publication version of the report is available on the Waitangi Tribunal website in pdf format.