

He tono nā



Te Rūnanga o NGĀI TAHU

ki te
MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT

e pā ana ki te
DEFINING ENERGY HARDSHIP

24 December 2021

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contact person
Jacqui Caine, General Manager, Strategy and Influence | Te Rūnanga o Ngāi Tahu
Privacy of natural persons PO Box 13-046 | Christchurch

1. INTRODUCTION

- 1.1 Te Rūnanga o Ngāi Tahu (“**Te Rūnanga**”) welcomes the opportunity to respond to the Ministry of Business, Employment and Innovations (the “**Ministry**”) Defining Energy Hardship Discussion Document and acknowledges these efforts as an important step towards achieving energy wellbeing for all people of Aotearoa.
- 1.2 As an iwi, Ngāi Tahu view the world through an intergenerational lens. Te Rūnanga is guided by the whakataukī “Mō tātou, ā, mō kā uri a muri ake nei” (for us, and those who come after us), we all have a responsibility to set the foundations for the world our tamariki and mokopuna will inherit.
- 1.3 Te Rūnanga is very aware of the impacts of energy hardship and energy wellbeing for Ngāi Tahu whānui. Addressing the current inequities is an important step of insuring Aotearoa is undertaking a just and equitable transition to a low emissions future and ensuring our whānau who are currently facing energy hardships are supported in achieving energy wellbeing is critical. Defining what these states are and the framework and measures supporting this information is an important part of this process.

2. TE RŪNANGA O NGĀI TAHU

- 2.1 This response is made on behalf of Te Rūnanga which is statutorily recognised as the representative tribal body of Ngāi Tahu whānui and was established as a body corporate on 24 April 1996 under section 6 of the Te Rūnanga o Ngāi Tahu Act 1996 (“**TRONT Act**”).
- 2.2 Te Rūnanga encompasses 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their rohe. Te Rūnanga is responsible for managing, advocating and protecting, the rights and interests inherent to Ngāi Tahu as mana whenua.
- 2.3 Te Rūnanga respectfully requests that the Ministry accord this response with the status and weight of the tribal collective of Ngāi Tahu whānui comprising over 70,000 registered iwi members, in a takiwā comprising the majority of Te Waipounamu. A map of the Ngāi Tahu claims area is attached at **Appendix One**.
- 2.4 Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of individuals and Papatipu Rūnanga to make their own responses in relation to this matter.

3. TE TIRITI O WAITANGI AND PARTNERSHIP

- 3.1 The contemporary relationship between the Crown and Ngāi Tahu is defined by three core documents; the Treaty of Waitangi, the Ngāi Tahu Deed of Settlement 1997 and the Ngāi Tahu Claims Settlement Act (**NTCSA**). These documents form an important legal relationship between Ngāi Tahu and the Crown and entrench the Treaty partnership.

- 3.2 Of significance, the Deed of Settlement and NTCSA confirmed the rangatiratanga of Ngāi Tahu and its relationship with the natural environment and whenua within the takiwā.
- 3.3 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning for a “new age of co-operation”. In doing so, the Crown acknowledged that Ngāi Tahu holds rangatiratanga within the Ngāi Tahu takiwā. The Crown Apology also acts as a guide for the basis of the post-Settlement relationship between Ngāi Tahu and the Crown and as such, underpins this response.

4. TE RŪNANGA RESPONSE TO DEFINING ENERGY HARDSHIP

- 4.1 The response of Te Rūnanga is structured in the same format as the online survey, when consultations questions are answered directly the question number is indicated (e.g. Q1).
- 4.2 Q1 – Te Rūnanga has read and understood the Privacy Statement.
- 4.3 Q7 & Q8 - Te Rūnanga neither agrees or disagrees that the proposed definition for energy wellbeing is right for Aotearoa. Te Rūnanga considers that further explanation is needed to fully answer this question. Specifically, what the definition of ‘adequate’ is, as it will differ from person to person.
- 4.4 This definition also only applies to one element (obtaining energy supply) and does not consider the other important inter-related elements. These elements include access to a level of energy that meets the economic and financial needs of whānau, and the consistency and quality of supply. The quality of supply generally flows through to economic and financial access. There can also be regional disparities. Within the Ngāi Tahu takiwā, for example, in Otago there is a small number of households with a broad overhead reticulation network, meaning maintenance and supply costs are distributed over fewer households resulting in higher line charges. In contrast the Orion network in Canterbury has a large number of urban households that can cross-subsidise the higher cost of operating a rural network.
- 4.5 Q9 – Te Rūnanga agrees with the inclusions in the proposed definition.
- 4.6 Q10 – The definition of wellbeing, hauora, from a te ao Māori perspective also embraces aspects which Te Rūnanga recommends needs to be incorporated into the definition to provide a holistic approach to wellbeing. Based on ‘Te Whare Tapa Whā’, as well as taha tīnana (physical wellbeing – health), there is also taha hinengaro (mental and emotional wellbeing – self-confidence), taha whānau (social wellbeing – self-esteem) and taha wairua (spiritual well-being – personal beliefs). Te Rūnanga recommend that the Ministry undertake further work to fully define what is meant by ‘wellbeing’.
- 4.7 Q11 – Te Rūnanga disagrees with what is excluded by the definition.
- 4.8 Q12 – Te Rūnanga appreciates the challenges of integrating transportation energy within one definition - transportation energy and household energy are

inter-linked. One form of this energy is sometimes mitigated to provide for the alternative. There are also living circumstances such as living very remotely, in cars or in makeshift dwellings, where whānau may not fit into the categories outlined. Whānau may have more immediate needs other than energy, but their energy hardship should still be considered and recorded.

- 4.9 Q13 – The definition is simple and easier to understand, however Te Rūnanga recommends it is extended to a broader number of situations. The current definition does not appear to embody all sectors of society – urban/rural, power impoverished/sufficiently supplied. Te Rūnanga recommends further investigation to prioritise the wellbeing of our tamariki, helping to ensuring that future generations do not grow up with energy hardship.
- 4.10 Q14 – Te Rūnanga agrees that the framework represents the factors that influence energy wellbeing across Aotearoa.
- 4.11 Q15 – Te Rūnanga recommends providing weighting on these influences, as factors such as household income and geographical location are likely to be more important than types of electricity meters, for example.
- 4.12 Q16 – Energy awareness is often underestimated in lower income households. The need to conserve power is often acute where electricity bills are a large part of household financial, both energy prices and cultural practices are influential.
- 4.13 Q17 – Te Rūnanga neither agrees or disagrees with the proposed indicators for energy wellbeing.
- 4.14 Q18 – Te Rūnanga suggests further elaboration on a healthy indoor temperature and its implications, especially in Te Waipounamu, for the health and wellbeing of our tamariki. There is significant research to indicate that Māori are disproportionately represented in negative statistics relating to housing, for example 37% of Ngāi Tahu whānau live in rental accommodation (Ngāi Tahu State of the Nation, 2017). The framework needs to have specific, measurable indicators, to ensure we are capturing information that can help bring our whānau into ‘energy wellness’.
- 4.15 Q19 & Q20 – Te Rūnanga supports the ability to break down the data at a regional level or for different groupings, however this seems dependant on the availability of existing data. For data on energy hardship within the Ngāi Tahu takiwā it is important that Te Rūnanga has access to this information, to help inform our decision making in supporting Ngāi Tahu whānui.
- 4.16 Q21 – Te Rūnanga agrees with the proposed primary measures.
- 4.17 Q22 – Te Rūnanga agrees with the potential secondary measures.
- 4.18 Q23 – Te Rūnanga recommends that affordability is measured for frequently.
- 4.19 Q24 – Measuring the depth of data seems to be a more nuanced way of understanding the data. Te Rūnanga supports combining the measure in a DEP

17 approach and recommends defining the energy hardship “gap” as a helpful part of measuring progress.

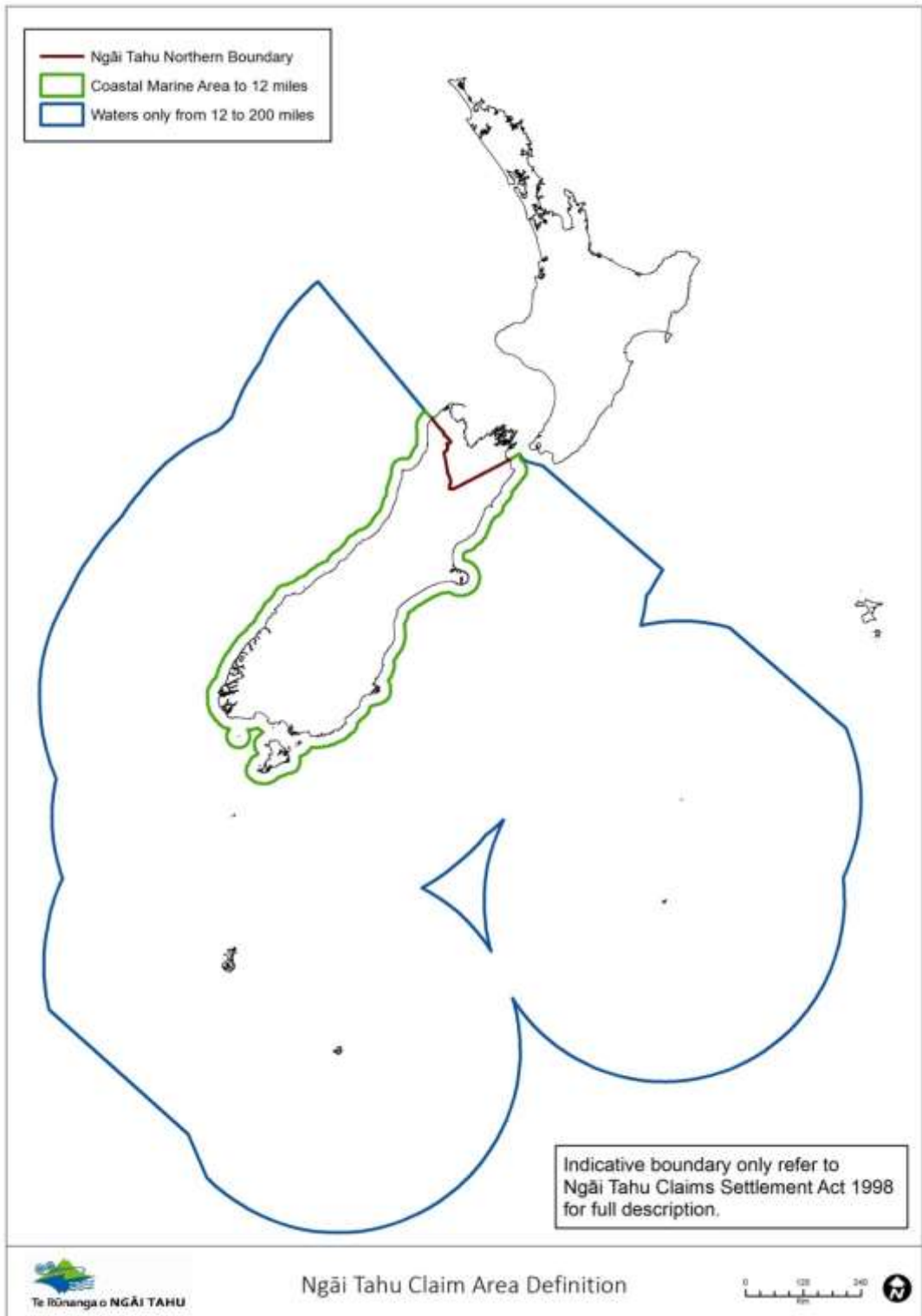
4.20 Q25 – Te Rūnanga has listed the following proposals from most important to least as outlined in the survey, however we consider each proposal important.

1. Further analyse any currently available data.
2. Model required energy use for households in Aotearoa.
3. Research energy hardship-related indicators.
4. Work to fill existing data gaps and limitations.

4.21 Q26 – Te Rūnanga recommends producing qualitative data around how energy insecurity and hardship effects ‘Te Whare Tapa Whā’ for individuals and whānau.

4.22 Q27 – The spending of our Māori whānau on electricality has been shown to be proportionally greater than other sectors of the population. When electricity prices increase, as they are predicted to, we will bear the brunt of this. Te Rūnanga emphasises the that concerns around affordability and credit must be central to this conversation.

APPENDIX ONE: NGĀI TAHU CLAIMS AREA



APPENDIX TWO: TEXT OF CROWN APOLOGY

The following is text of the Crown apology contained in the Ngāi Tahu Claims Settlement Act 1998.

Part One – Apology by the Crown to Ngāi Tahu

Section 5: Text in Māori

The text of the apology in Māori is as follows:

1. Kei te mōhio te Karauna i te tino roa o ngā tūpuna o Ngāi Tahu e totohe ana kia utu mai rātou e te Karauna—tata atu ki 150 ngā tau i puta ai tēnei pēpeha a Ngāi Tahu arā: “He mahi kai tākata, he mahi kai hoakā”. Nā te whai mahara o ngā tūpuna o Ngāi Tahu ki ngā āhuetanga o ngā kawenga a te Karauna i kawea ai e Matiaha Tiramōrehu tana petihana ki a Kuini Wikitoria i te tau 1857. I tuhia e Tiramōrehu tana petihana arā: ‘Koia nei te whakahau a tōu aroha i whiua e koe ki runga i ēnei kāwana... tērā kia whakakotahitia te ture, kia whakakotahitia ngā whakahau, kia ōrite ngā āhuetanga mō te kiri mā kia rite ki tō te kiri waitutu, me te whakatakoto i te aroha o tōu ngākau pai ki runga i te iwi Māori kia noho ngākau pai tonu ai rātou me te mau mahara tonu ki te mana o tōu ingoa.’ Nā konei te Karauna i whakaae ai tērā, te taumaha o ngā mahi a ngā tūpuna o Ngāi Tahu, nā rēira i tū whakaiti atu ai i nāiane i mua i ā rātou mokopuna.
2. E whakaae ana te Karauna ki tōna tino hēanga, tērā i takakino tāruaruatia e ia ngā kaupapa o te Tiriti o Waitangi i roto i āna hokonga mai i ngā whenua o Ngāi Tahu. Tēnā, ka whakaae anō te Karauna tērā i roto i ngā āhuetanga i takoto ki roto i ngā pukapuka ā-herenga whakaatu i aua hokonga mai, kāore te Karauna i whai whakaaro ki tāna hoa nā rāua rā i haina te Tiriti, kāore hoki ia i whai whakaaro ki te wehe ake i ētahi whenua hei whai oranga tinana, whai oranga ngākau rānei mō Ngāi Tahu.
3. E whakaae ana te Karauna tērā, i roto i tāna takakino i te wāhanga tuarua o te Tiriti, kāore ia i whai whakaaro ki te manaaki, ki te tiaki rānei i ngā mauanga whenua a Ngāi Tahu me ngā tino taonga i hiahia a Ngāi Tahu ki te pupuri.
4. E mōhio ana te Karauna tērā, kāore ia i whai whakaaro ki a Ngāi Tahu i runga i te ngākau pono o roto i ngā tikanga i pūtake mai i te mana o te Karauna. Nā tāua whakaaro kore a te Karauna i puaki mai ai tēnei pēpeha a Ngāi Tahu: “Te Hapa o Niu Tīreni”. E mōhio ana te Karauna i tāna hē ki te kaipono i ngā āhuetanga whai oranga mō Ngāi Tahu i noho pōhara noa ai te iwi ia whakatapuranga heke iho. Te whakataua ki i pūtake mai i aua āhuetanga: “Te mate o te iwi”.
5. E whakaae ana te Karauna tērā, mai rāno te piri pono o Ngāi Tahu ki te Karauna me te kawa pono a te iwi i ā rātou kawenga i raro i te Tiriti o Waitangi, pērā anō tō rātou piri atu ki raro i te Hoko Whitu a Tū i ngā wā o ngā pakanga nunui o te ao. E tino mihi ana te Karauna ki a Ngāi Tahu mō tōna ngākau pono mō te koha hoki a te iwi o Ngāi Tahu ki te katoa o Aotearoa.
6. E whakapuaki atu ana te Karauna ki te iwi whānui o Ngāi Tahu i te hōhonu o te āwhitu a te Karauna mō ngā mamaetanga, mō ngā whakawhiringa i pūtake mai nō roto i ngā takakino a te Karauna i takaongetia ai a Ngāi Tahu Whānui. Ewhakaae ana te Karauna tērā, aua mamaetanga me ngā whakawhiringa hoki i hua mai nō roto i ngā takakino a te Karauna, arā, kāore te Karauna i whai i ngā tohutohu a ngā pukapuka ā-herenga i tōna hokonga mai i ngā whenua o Ngāi Tahu, kāore hoki te Karauna i wehe ake kia

rawaka he whenua mō te iwi, hei whakahaere mā rātou i ngā āhuatanga e whai oranga ai rātou, kāore hoki te Karauna i hanga i tētahi tikanga e maru motuhake ai te mana o Ngāi Tahu ki runga i ā rātou pounamu me ērā atu tāonga i hiahia te iwi ki te pupuri. Kore rawa te Karauna i aro ake ki ngā aurere a Ngāi Tahu.

7. E whakapāha ana te Karauna ki a Ngāi Tahu mō tōna hēanga, tērā, kāore ia i whai whakaaro mō te rangatiratanga o Ngāi Tahu, ki te mana rānei o Ngāi Tahu ki runga i ōna whenua ā-rohe o Te Wai Pounamu, nā rēira, i runga i ngā whakaritenga me ngā herenga a Te Tiriti o Waitangi, ka whakaae te Karauna ko Ngāi Tahu Whānui anō te tāngata whenua hei pupuri i te rangatiratanga o roto i ōna takiwā.
8. E ai mō ngā iwi katoa o Aotearoa e hiahia ana te Karauna ki te whakamārie i ngā hara kua whākina ake nei—otirā, ērā e taea i nāianei - i te mea kua āta tau ngā kōrero tūturu ki roto i te pukapuka ā-herenga whakaritenga i hainatia i te 21 o ngā rā o Whitu hei tīmatanga whai oranga i roto i te ao hōu o te mahinga tahi a te Karauna rāua ko Ngāi Tahu.

Section 6: Text in English

The text of the apology in English is as follows:

1. The Crown recognises the protracted labours of the Ngāi Tahu ancestors in pursuit of their claims for redress and compensation against the Crown for nearly 150 years, as alluded to in the Ngāi Tahu proverb ‘He mahi kai takata, he mahi kai hoaka’ (‘It is work that consumes people, as greenstone consumes sandstone’). The Ngāi Tahu understanding of the Crown’s responsibilities conveyed to Queen Victoria by Matiaha Tiramorehu in a petition in 1857, guided the Ngāi Tahu ancestors. Tiramorehu wrote:

“This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.”

2. The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.
3. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu’s use, and to provide adequate economic and social resources for Ngāi Tahu.
4. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu’s use and ownership of such of their land and valued possessions as they wished to retain.
5. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying ‘Te Hapa o Niu Tirenī!’ (‘The unfulfilled promise of New Zealand’). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several

generations in a state of poverty, a state referred to in the proverb 'Te mate o te iwi' ('The malaise of the tribe').

6. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu's loyalty and to the contribution made by the tribe to the nation.
7. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
8. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.
9. Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu."