



COVERSHEET

Minister	Hon Dr Megan Woods	Portfolio	Energy and Resources
Title of Cabinet paper	Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission	Date to be published	11 May 2023

List of documents that have been proactively released

Date	Title	Author
February 2023	Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission	Office of the Minister of Energy and Resources
8 February 2023	Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission CAB-23-MIN-0012.01 Minute	Cabinet Office
27 March 2023	Additional Item: Strengthening National Direction for Renewable Electricity Generation and Electricity Transmission: Consultation Document CAB-23-MIN-0104 Minute	Cabinet Office

Information redacted

YES

Any information redacted in this document is redacted in accordance with MBIE's and MfE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for the reason of confidential advice to government, legal professional privilege, and free and frank advice.



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission

Portfolios **Energy and Resources / Environment**

On 8 February 2023, following reference from the Cabinet Business Committee, Cabinet:

Background

- 1 **noted** that Aotearoa New Zealand has an aspirational target of 100 percent renewable electricity by 2030 and a target for 50 percent of total energy consumption to be from renewable sources by 2035;
- 2 **noted** that development of a new National Policy Statement for Renewable Electricity Generation (NPS-REG) and the removal of regulatory barriers to renewable generation is a 2020 manifesto commitment and a key action of the first Emissions Reduction Plan;
- 3 **noted** that independent government commissions have recommended that existing Resource Management Act 1991 (RMA) national direction instruments for renewable electricity be strengthened;
- 4 **noted** that in July 2019, Cabinet directed the Ministry of Business, Innovation and Employment (MBIE) to identify workable policy options to revise the NPS-REG to be more directive, and also to consider the development of new National Environmental Standards on renewable electricity [CAB-19-MIN-0334], and provided funding for this work in Budget 2020;

Policy

- 5 **noted** that two of the options in the consultation document attached under CBC-23-SUB-0002 directly affect the wording and operation of the proposed National Policy Statement for Indigenous Biodiversity, which awaits final Cabinet approval;
- 6 **noted** that further analysis of the impact of option 2 affecting the New Zealand Coastal Policy Statement and proposed National Policy Statement for Indigenous Biodiversity is required before the policy on renewable energy and transmission can be finalised for gazettal;

Proposed consultation

- 7 **agreed** to release the consultation document, *Strengthening National Direction on Renewable Electricity Generation and Electricity Transmission* (the consultation document), attached as Appendix One to the submission under CBC-23-SUB-0002, between February and March 2023 on proposals for strengthening RMA national direction on renewable electricity generation and electricity transmission, subject to the document meeting regulatory impact analysis requirements;
- 8 **agreed** that:
- 8.1 option 2B in section 1.2 of the consultation document, which creates a specific consenting regime for renewable electricity generation, is indicated as the preferred option (i.e. the proposal) of the options that are to be consulted on;
- 8.2 option 2B in section 1.5 of the draft consultation document, which creates a specific consenting regime for new electricity transmission assets, is indicated as the preferred option (i.e. the proposal) of the options that are to be consulted on;
- 8.3 the consultation document will be updated in line with these decisions;
- 9 **authorised** the Minister of Energy and Resources and the Minister for the Environment to make editorial, design, and/or technical changes to the consultation document prior to publishing;
- 10 **authorised** the Minister of Energy and Resources and the Minister for the Environment to release the drafts of the proposed amended NPS-REG and National Policy Statement for Electricity Transmission (NPS-ET) with the consultation documents, after further refinement of the drafting and the Crown Law Office has completed a *vires* review;
- 11 **noted** that, if the refined proposals have the effect of amending the New Zealand Coastal Policy Statement 2010 (NZCPS), the RMA requires that any recommendations to the Governor-General on changes to the NZCPS are issued by the Minister of Conservation;
- 12 **agreed** that if the refined proposals have the effect of amending the NZCPS, any decisions under paragraphs 8 to 10 above will be made in consultation with the Minister of Conservation;
- 13 **noted** that if the refined proposals have the effect of amending the NZCPS, the Marine and Coastal Area (Takutai Moana) Act 2011 requires the Minister of Conservation to seek and consider the views of customary marine title groups recorded on the marine and coastal area register;
- 14 **noted** that officials will work with Department of Conservation officials to seek the views of customary marine title groups on the refined proposals if they have the effect of amending the NZCPS;
- 15 **noted** that a short summary document will be published alongside the consultation document to assist consultees in their review of the consultation document;

Further policy decisions and implementation

- 16 **agreed** that, following public consultation and analysis of submissions, the Minister of Energy and Resources and the Minister for the Environment will make further policy decisions on the proposed amendments to the NPS-REG and NPS-ET so the drafts can be amended and finalised ready for Cabinet approval;

- 17 **invited** the Minister of Energy and Resources and Minister for the Environment (responsible Ministers) to report back to the Cabinet Legislation Committee in Confidential advice to Govt seeking approval to gazette the revised NPS-REG and NPS-ET in accordance with section 52 of the RMA and any further policy recommendations;
- 18 **noted** Confidential advice to Government

- 19 **noted** that existing funding is available until 2023/24 and is expected to cover the priority amendments to the NPS-REG and NPS-ET and to progress work on the National Environmental Standard;
- 20 **authorised** the Minister of Finance and the Minister of Energy and Resources jointly to transfer any remaining funds in the multi-category appropriation Policy Advice and Related Services to Ministers (MCA), as necessary to implement the proposed policies.

Rachel Hayward
Secretary of the Cabinet

Secretary's Note: This minute replaces CBC-23-MIN-0002. Cabinet agreed to amend paragraph 8.
